



Journal of the Senate

Number 13

Thursday, May 17, 1990

CALL TO ORDER

The Senate was called to order by the President at 9:30 a.m. A quorum present—39:

Mr. President	Deratany	Johnson	Plummer
Bankhead	Diaz-Balart	Kirkpatrick	Scott
Beard	Dudley	Kiser	Souto
Brown	Forman	Langley	Thomas
Bruner	Gardner	Malchon	Thurman
Casas	Girardeau	Margolis	Walker
Childers, D.	Gordon	McPherson	Weinstein
Childers, W. D.	Grant	Meek	Weinstock
Crenshaw	Grizzle	Myers	Woodson-Howard
Davis	Jennings	Peterson	

Excused: Senators W. D. Childers and Grizzle at 10:30 a.m.

PRAYER

The following prayer was offered by Captain Ron Busroe, The Salvation Army, Ft. Lauderdale:

Dear Father, thank you for this day and the opportunity you have given these men and women to serve your people in this great State of Florida.

We know that the problems faced are many. We would ask for the Senators the administrative ability of Moses to do the job; the courage of David to stand up to the Goliaths of special interests; the wisdom of Solomon to know the truth; the social consciousness of Amos, seeking both justice and righteousness; the patience of Job to endure, that in the end good might prevail; and finally, the love of Jesus that will softly bind all this together so that all Floridians, rich and poor, young and old, black, white and brown, might be better for the efforts of these Senators. Bless them and their families. Amen.

Special Performance

Senator Scott introduced to the Senate, Andrea L. Howard, who sang "The Battle Hymn of the Republic." Andrea, a senior at Madison County High School in Greenville, is serving as a Senate Page this week.

Consideration of Resolutions

On motion by Senator Grizzle, by two-thirds vote SR 3086 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Grizzle—

SR 3086—A resolution proclaiming May 18, 1990, as "Women in Military Service for America Day" in Florida.

WHEREAS, women have served in the United States Military Service from the earliest days of our republic, as well as in the Continental Army of the American Revolution, as nurses, spies, and soldiers on the front lines, and

WHEREAS, women served in the War of 1818 and played increasingly important roles in the Civil War as exemplified by Dr. Mary Walker, an Army Surgeon who was awarded the Congressional Medal of Honor, and

WHEREAS, women nurses successfully served under a civilian contract to meet emergency needs during the Spanish-American War, and

WHEREAS, the Army Nurse Corps was formed in 1901 and the Navy Nurse Corps was formed in 1908, and

WHEREAS, approximately 35,000 women served during World War I, 400,000 women served in World War II, some 50,000 women served during the Korean War, and approximately 7,500 served in Vietnam from 1962 to 1973, and

WHEREAS, women have been an essential part of the Armed Forces of our country, both in peacetime and in war, and

WHEREAS, 400,000 women serve in the active military services, National Guard, and the United States Reserve Forces of our country, and

WHEREAS, there are approximately 1.2 million living women veterans, 83,000 of whom reside in the State of Florida, and

WHEREAS, the contributions and sacrifices of these women have not received due recognition, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Senate of the State of Florida hereby proclaims May 18, 1990, as "Women in Military Service for America Day" in Florida and encourages all Floridians to recognize women who have served in the Armed Forces of the United States of America.

—was taken up out of order by unanimous consent, read the second time in full and adopted.

Senator Grizzle introduced Major Nancy Fouts of the Army National Guard who was seated in the chamber; and Ms. Ramelle Petroglou, Executive Assistant, Government and Community Affairs, Florida Department of Military Affairs, who was seated in the gallery.

Upon request of the President, Senator Grizzle escorted Major Fouts to the rostrum where she was presented a copy of the resolution.

On motion by Senator Walker, by two-thirds vote SR 3088 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Walker—

SR 3088—A resolution honoring B. Calvin Jones for his discoveries and excavations of early Spanish period historical sites, particularly his discovery and identification of the 1539-1540 winter campsite of Hernando de Soto.

WHEREAS, Buddy Calvin Jones, a Texan who, by the time he received his Masters Degree in Anthropology in 1968, already had more than 7 years of experience in the archaeology of the early Spanish contact period, and

WHEREAS, in 1968, Calvin Jones brought his experience to Florida as an archaeologist with the Florida Board of Archives and History here in Tallahassee, where he immediately embarked on a highly successful career with the discovery and excavation of San Joseph de Ocuja, an early Spanish mission that was destroyed before the year 1700, and

WHEREAS, Calvin Jones has since discovered and excavated Missions San Pedro de Patale (I) and (II), Mission San Damian de Escambe, Mission San Lorenzo de Ibitachuca, Mission San Miguel de Asile, Mission San Pedro de Potohiriba, Mission San Juan de Guacara, and Mission San Antonio de Enacapi and other Spanish mission and rancho sites about which so little is known that their proper names are unknown, and

WHEREAS, it would be a singular achievement to have removed any one of these ancient places from the abyss of antiquity into the light of scientific scrutiny where it will provide an opportunity for generations of students to probe into the past, yet Calvin Jones has brought literally dozens of these places to light, often on his own time and at his own expense, and

WHEREAS, Calvin always finds time for the amateur historian and archaeologist and for the landowner, without whose aid many discoveries would not be possible, and he listens to their concerns, explains the significance of their finds, and creates ways for them to work together with the state to enlarge our knowledge of the rich heritage of our past, and

WHEREAS, the old adage "Good luck begins when preparation meets opportunity" was again confirmed on March 11, 1987, when Calvin, on his own initiative and time, began exploring at a construction site in Tallahassee that soon yielded artifacts that his trained eye noted were different and older than what he had expected to find, and

WHEREAS, distressed by the pressure of construction schedules, Calvin enlisted the help of friends and other volunteers in excavating the site from March 11, 1987, to May 4, 1987, and thus was able to explore the site at minimal expense to the state, and

WHEREAS, during this period, Calvin confirmed his preliminary artifact identification by scholarly research and was able to publicly announce on April 27, 1987, that the site, now known as the Martin site, was in fact a part of the 1539-1540 de Soto winter encampment, and

WHEREAS, the Governor and Cabinet did on May 5, 1987, by resolution commend and thank Calvin Jones for his dedication and discovery and recommend that efforts for recognition of the significance of the site be continued, and

WHEREAS, the identification of the Martin site has made Florida the only state having an archaeological site proved to have been visited by Hernando de Soto during his infamous exploration of this continent between 1539 and 1545, and

WHEREAS, it is fitting, on this the 450th anniversary of de Soto's departure from his winter encampment, to honor the archaeologist who has made such an important contribution to the history of our state and of our country, and

WHEREAS, the accomplishments of Calvin Jones and the publication of his research here and abroad make him not just a valued employee and honored Floridian, but an archaeologist of international stature and one in whom all Americans can have pride, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Senate honors and commends B. Calvin Jones for his outstanding service and significant achievements in the field of archaeology and his contributions to the historical knowledge of our state, our country, and our world.

BE IT FURTHER RESOLVED that a copy of this document, signed by the President of the Senate, with the Seal of the Senate affixed, be presented to Buddy Calvin Jones as a tangible token of the esteem in which he is held by this body.

—was taken up out of order by unanimous consent, read the second time in full and adopted.

Senator Walker introduced Mr. B. Calvin Jones and Mr. and Mrs. Gerald Olive, his father-in-law and mother-in-law, who were seated in the chamber.

Upon request of the President, Senator Walker escorted Mr. Jones and Mr. and Mrs. Olive to the rostrum where they were presented a copy of the resolution.

On motion by Senator Girardeau, by two-thirds vote SR 2304 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Girardeau—

SR 2304—A resolution commending Florida Agricultural and Mechanical University for being the fourth ranked institution in the nation in attracting National Achievement Scholars.

WHEREAS, the key to the success of any university is the caliber and quality of the students attending the institution, and

WHEREAS, Florida Agricultural and Mechanical University (FAMU) now ranks fourth in the nation in attracting National Achievement Scholars, the best high school students in the nation, and

WHEREAS, FAMU, through the efforts of President Frederick Humphries, has been seeking these scholars and enticing them to FAMU with full scholarships, internships, stipends, and the promise of good academic programs and small classes, and

WHEREAS, in 1989, FAMU enrolled 24 National Achievement Scholars, including 11 Florida residents, and

WHEREAS, these students will go on to enrich their communities and the state and will contribute to the advancement of educational opportunities in our state, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Florida Senate hereby commends Florida Agricultural and Mechanical University for its outstanding accomplishments in ranking fourth in the United States in attracting National Achievement Scholars and joins the citizens of the state in saluting FAMU for its continuing excellence in academic achievement.

—was taken up out of order by unanimous consent, read the second time in full and adopted.

On motion by Senator Gardner, by two-thirds vote HCR 443 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Gardner—

HCR 443—A concurrent resolution recognizing the long and faithful service of the Florida National Guard.

—was taken up out of order by unanimous consent, read the second time in full, adopted and certified to the House.

REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Thursday, May 17, 1990: CS for SB 1358, SB 3052, CS for SB 1206, CS for SB 774, SB 1610, CS for SB 2398, CS for SB 662, SB 1346, CS for SB 1332, CS for SB 982, CS for SB 1080, CS for SB 272, CS for SB 1116, CS for SB 610, CS for SB 1788, CS for SB 1592, CS for SB 248, CS for SB 254, SB 1174, CS for SB 1476, CS for SB 1830, CS for SB 2626, CS for SB 334, CS for SB 198, CS for SB 972, CS for SB 68, CS for CS for SB 300, SB 40, CS for SB 2344, CS for SB 2472, CS for CS for SB 60

Respectfully submitted,
James A. Scott, Chairman

The Committee on Agriculture recommends the following pass: CS for SB 1670, CS for SB's 1674 and 1016

The Committee on Education recommends the following pass: SB 1712, SB 2910

The Committee on Governmental Operations recommends the following pass: SB 1734 with 1 amendment, CS for SB 1786, SB 2976

The Committee on Health and Rehabilitative Services recommends the following pass: SB 2458

The Committee on Higher Education recommends the following pass: CS for SB 866, SB 1542, SB 2768 with 3 amendments

The Committee on Judiciary-Civil recommends the following pass: SB 2064

The Committee on Transportation recommends the following pass: SB 2898

The bills contained in the foregoing reports were referred to the Committee on Appropriations under the original reference.

The Committee on Higher Education recommends the following pass: SB 2526

The bill was referred to the Committee on Education under the original reference.

The Committee on Governmental Operations recommends the following pass: SB 2486 with 1 amendment, SB 2738

The bills were referred to the Committee on Ethics and Elections under the original reference.

The Committee on Governmental Operations recommends the following pass: CS for HB 1827 with 2 amendments, CS for SB 1334 with 1 amendment, SB 1934 with 2 amendments

The Committee on Transportation recommends the following pass: SB 756, SB 2280

The bills contained in the foregoing reports were referred to the Committee on Finance, Taxation and Claims under the original reference.

The Committee on Judiciary-Civil recommends the following pass: SB 2506

The Committee on Natural Resources and Conservation recommends the following pass: SB 2560

The Committee on Transportation recommends the following pass: SB 2168, SB 3048

The bills contained in the foregoing reports were referred to the Committee on Governmental Operations under the original reference.

The Committee on Education recommends the following pass: SB 2662 with 1 amendment, SB 2856, SB 2900

The bills were referred to the Committee on Higher Education under the original reference.

The Committee on Governmental Operations recommends the following pass: SB 1650

The Committee on Higher Education recommends the following pass: SB 2388, SB 2444 with 1 amendment

The bills contained in the foregoing reports were referred to the Committee on Judiciary-Civil under the original reference.

The Committee on Judiciary-Civil recommends the following pass: CS for SB's 854, 2078 and 2792, SB 1774

The Committee on Regulated Industries recommends the following pass: SB 1652

The bills contained in the foregoing reports were referred to the Committee on Judiciary-Criminal under the original reference.

The Committee on Governmental Operations recommends the following pass: CS for CS for HB 149 with 2 amendments, CS for SB 1762, SB 1836, CS for SB's 2532 and 2534, SB 2732 with 1 amendment, SB 2972 with 2 amendments

The bills were referred to the Committee on Rules and Calendar under the original reference.

The Committee on Governmental Operations recommends the following pass: CS for SB 836

The bill was referred to the Committee on Transportation under the original reference.

The Committee on Agriculture recommends the following pass: HB 2547, HB 2551

The Committee on Governmental Operations recommends the following pass: HB 2281, CS for SB 358, SB 2114, SB 2554, SB 2556, SB 2558, SB 2828 with 2 amendments

The Committee on Higher Education recommends the following pass: SB 1496, SB 2842

The Committee on Natural Resources and Conservation recommends the following pass: SB 620, SB 1096

The Committee on Transportation recommends the following pass: SB 1900, SB 2452, SB 2846

The bills contained in the foregoing reports were placed on the calendar.

The Committee on Education recommends the following not pass: SB 2574

The Committee on Regulated Industries recommends the following not pass: SB 2576

The bills contained in the foregoing reports were laid on the table.

The Committee on Commerce recommends committee substitutes for the following: SB 1564, SB 2276

The Committee on Economic, Professional and Utility Regulation recommends a committee substitute for the following: CS for SB 2076

The Committee on Education recommends committee substitutes for the following: Senate Bills 1732 and 646, SB 1958, Senate Bills 2278 and 1664, Senate Bills 2872 and 464

The Committee on Insurance recommends a committee substitute for the following: SB 2492

The Committee on Judiciary-Criminal recommends committee substitutes for the following: SB 20, SB 2142

The Committee on Regulated Industries recommends a committee substitute for the following: SB 1666

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Appropriations under the original reference.

The Committee on Economic, Professional and Utility Regulation recommends a committee substitute for the following: SB 2246

The bill with committee substitute attached was referred to the Committee on Community Affairs under the original reference.

The Committee on Commerce recommends a committee substitute for the following: SB 590

The Committee on Economic, Professional and Utility Regulation recommends committee substitutes for the following: SB 2908, SB 2962

The Committee on Education recommends committee substitutes for the following: CS for SB 1764 and SB 2082, CS for SB 1916

The Committee on Natural Resources and Conservation recommends a committee substitute for the following: SB 2702

The Committee on Regulated Industries recommends a committee substitute for the following: SB 984

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Finance, Taxation and Claims under the original reference.

The Committee on Regulated Industries recommends committee substitutes for the following: Senate Bills 516 and 1444, SB 2052

The bills with committee substitutes attached were referred to the Committee on Governmental Operations under the original reference.

The Committee on Judiciary-Criminal recommends a committee substitute for the following: SB 2948

The bill with committee substitute attached was referred to the Committee on Health and Rehabilitative Services under the original reference.

The Committee on Commerce recommends committee substitutes for the following: SB 130, SB 612

The Committee on Economic, Professional and Utility Regulation recommends a committee substitute for the following: SB 2938

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Judiciary-Civil under the original reference.

The Committee on Education recommends a committee substitute for the following: SB 2648

The Committee on Transportation recommends a committee substitute for the following: SB 1396

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Personnel, Retirement and Collective Bargaining under the original reference.

The Committee on Economic, Professional and Utility Regulation recommends a committee substitute for the following: SB 2438

The Committee on Governmental Operations recommends a committee substitute for the following: SB 762

The Committee on Judiciary-Criminal recommends a committee substitute for the following: SB 1788

The bills with committee substitutes attached contained in the foregoing reports were placed on the calendar.

Bills Referred to Subcommittee

May 17, 1990

The following has been referred to Appropriations Subcommittee B which will report to the full committee within 12 days: CS for SB 1130

The following have been referred to Appropriations Subcommittee C which will report to the full committee within 12 days: CS for SB 654, SB 1526, SB 1754, CS for SB 2266, CS for SB 2758

REQUESTS FOR EXTENSION OF TIME

May 17, 1990

The Committee on Appropriations requests an extension of 15 days for consideration of the following: Senate Bills 16, 18, 20, 34, 36, 42, 80, 92, 140, 142, 144, 160, 182, 188, 236, 240, 284, 286, 288, 304, 314, 344, 348, 362, 364, 380, 410, 412, 418, 424, 430, 466, 470, 480, 486, 508, 558, 560, 570, 616, 628, 632, 654, 668, 674, 682, 684, 696, 706, 714, 750, 772, 784, 802, 846, 850, 860, 862, 866, 912, 914, 946, 952, 954, 976, 978, 994, 998, 1014, 1030, 1044, 1098, 1110, 1118, 1120, 1130, 1138, 1142, 1150, 1180, 1194, 1222, 1236, 1238, 1250, 1278, 1310, 1326, 1340, 1356, 1362, 1374, 1376, 1386, 1426, 1428, 1458, 1460, 1464, 1466, 1468, 1470, 1472, 1500, 1502, 1510, 1516, 1526, 1536, 1542, 1548, 1556, 1558, 1564, 1572, 1584, 1600, 1602, 1608, 1620, 1640, 1644, 1712, 1732, 1744, 1754, 1758, 1766, 1768, 1814, 1842, 1848, 1884, 1938, 1956, 1958, 1982, 2012, 2040, 2074, 2076, 2096, 2100, 2142, 2160, 2162, 2194, 2196, 2256, 2266, 2276, 2278, 2292, 2298, 2310, 2328, 2408, 2450, 2496, 2500, 2502, 2514, 2524, 2536, 2548, 2566, 2572, 2592, 2594, 2598, 2726, 2746, 2754, 2758, 2768, 2772, 2872, 2910, 2956, 3020, 3056

INTRODUCTION AND REFERENCE OF BILLS

First Reading

SR 3192 was introduced out of order and adopted May 15.

SB 3194 was introduced out of order and referenced May 15.

SB 3196 was introduced out of order and referenced May 15.

By Senator Thurman—

SB 3198—A bill to be entitled An act relating to Citrus County, Homosassa Special Water District; amending ch. 59-1177, Laws of Florida, as amended, clarifying the duties and authority of the district in maintaining, improving, enhancing, repairing, and extending its water supply and distribution system; clarifying that ad valorem tax revenues may be expended for the maintenance, improvement, enhancement, repair, and extension of the district's water supply and distribution system; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Thurman—

SB 3200—A bill to be entitled An act relating to the Homosassa Special Water District, Citrus County; amending ch. 59-1177, Laws of Florida, as amended, increasing the territorial limits of the district; providing for a referendum; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Woodson-Howard—

SB 3202—A bill to be entitled An act relating to Manatee County; prohibiting the use of a gill net in the saltwaters of Manatee County without a license; providing for an annual license fee; providing for the form

of the license; providing for display; providing for disposition of license fees; providing for application of the act; providing that persons holding or applying for a saltwater products license may credit that license fee against the gill net license fee; providing that certain similar licenses issued in other Florida counties shall be valid in Manatee County; providing a penalty; providing for repeal; providing for validity of current licenses; providing for a referendum; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committees on Natural Resources and Conservation; and Rules and Calendar.

By Senator Johnson—

SB 3204—A bill to be entitled An act relating to the North Port Water Control District; providing for the dissolution of the water control district; providing for the transfer of the property, assets, rights, responsibilities, and obligations thereof to the North Port Road and Drainage District; providing that the road and drainage district is to replace the water control district as a party to contracts of the water control district; specifying conditions precedent for the dissolution of the water control district; specifying a date for the transfer of the powers and responsibilities of the water control district, subject to the satisfaction of the conditions precedent; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committees on Natural Resources and Conservation; and Rules and Calendar.

By Senator Davis—

SJR 3206—A joint resolution proposing an amendment to Section 7 of Article X of the State Constitution relating to lotteries.

—was referred to the Committees on Judiciary-Criminal; Finance, Taxation and Claims; and Rules and Calendar.

FIRST READING OF COMMITTEE SUBSTITUTES

By the Committee on Judiciary-Criminal and Senator Weinstein—

CS for SB 20—A bill to be entitled An act relating to drug abuse prevention and control; amending s. 893.13, F.S.; providing penalties for the sale, purchase, manufacture, or delivery of a controlled substance within 1,000 feet of a day care facility, playground, public or private youth center, or public swimming pool, or within 100 feet of a video arcade facility; providing definitions; providing an effective date.

By the Committee on Commerce and Senator Malchon—

CS for SB 130—A bill to be entitled An act relating to labor regulations; prohibiting employers from taking retaliatory personnel action against employees under certain conditions; authorizing civil actions and providing specified relief; providing for certain employer relief; providing an effective date.

By the Committee on Economic, Professional and Utility Regulation; and Senators Walker and Kirkpatrick—

CS for SB's 548 and 1070—A bill to be entitled An act relating to the 911 emergency telephone system; creating a task force committee on "911"; providing for membership, organization, and meetings; providing for a review and evaluation of the "911" emergency telephone system in the state; providing for operations review and evaluation; providing for an interim and final report; providing for termination of the committee; amending s. 365.171, F.S.; increasing the time period over which the payment of the nonrecurring charge for the "911" service may be made at the request of the subscribing county; revising language with respect to confidentiality of records; prohibiting false "911" calls; providing a penalty; providing an effective date.

By the Committee on Commerce and Senator Davis—

CS for SB 590—A bill to be entitled An act relating to the motion picture, television, video, and recording industries; amending s. 20.17, F.S.; providing additional duties for the Motion Picture, Television, and Recording Industry Advisory Council; creating s. 288.045, F.S.; providing legislative findings and policy regarding the motion picture, television, video, and recording industries; requiring state agencies to review rules and procedures for negative impacts on these industries; prohibiting the imposition of certain fees or restrictions; amending s. 212.08, F.S.; elimi-

nating a requirement that the sales tax exemption for motion picture, video, and sound recording equipment be administered as a refund of sales taxes previously paid; providing administrative procedures for claiming the exemption; providing effective dates.

By the Committee on Commerce and Senators Beard, Davis and Gardner—

CS for SB 612—A bill to be entitled An act relating to retail grocers; creating the Convenience Store Security Act; providing findings; defining “convenience store”; requiring certain retail grocery stores to be equipped with specified security devices; requiring certain levels of lighting for parking lots; requiring posting of certain signs; requiring posting of specified signs; prohibiting window tinting; requiring training for certain employees; providing for civil fines; providing for noncompliance fees; providing for a study by the Attorney General; providing an effective date.

By the Committee on Governmental Operations and Senator Johnson—

CS for SB 762—A bill to be entitled An act relating to public records; creating s. 119.105, F.S.; prohibiting the use of information in police reports for certain commercial purposes; providing exceptions; providing an effective date.

By the Committee on Commerce and Senators Souto, Diaz-Balart, Casas, Meek, Davis, Malchon, Brown, Kiser, Thurman, Margolis, Forman and Dudley—

CS for SB 1564—A bill to be entitled An act relating to unemployment compensation; amending s. 443.091, F.S., modifying benefit eligibility conditions for certain claims, and reenacting s. 443.151(3)(a), F.S., relating to determination of claims, to incorporate said amendment in a reference; amending s. 443.111, F.S.; modifying the formula for determining the total amount of benefits to which a claimant may be entitled; providing an effective date.

By the Committee on Education and Senators Davis and Souto—

CS for SB's 1732 and 646—A bill to be entitled An act relating to education; amending s. 230.2316, F.S., relating to dropout prevention; providing criteria for in-school suspension disciplinary programs; revising funding for in-school suspension programs; authorizing the establishment of certain summer inservice training programs; providing for dropout retrieval assistance programs; authorizing positive alternatives to out-of-school suspension grants; providing requirements; amending s. 230.23, F.S.; providing for the development, adoption, and distribution of codes of student conduct for elementary schools and secondary schools; amending s. 232.2462, F.S.; requiring school districts to maintain a specified credit earning system; amending s. 232.26, F.S.; revising provisions relating to student suspension and expulsion under certain circumstances; providing an effective date.

By the Committees on Education; Health and Rehabilitative Services; and Senators Weinstock, Woodson-Howard, Kiser, Forman, Stuart, Meek and Malchon—

CS for CS for SB 1764 and SB 2082—A bill to be entitled An act relating to health care; providing legislative findings; amending s. 212.02, F.S.; including dues paid to private clubs and membership clubs providing athletic, exercise, or fitness facilities within the definition of the term “admissions” for purpose of the imposition of the sales tax; amending s. 230.2319, F.S.; providing additional instruction in the middle childhood education program; providing for an exemption from certain instruction; amending s. 233.067, F.S.; providing additional instruction in the comprehensive health education and substance abuse prevention program; providing for an exemption from certain instruction; creating s. 402.321, F.S.; providing funding for school health services and specifying criteria for receipt thereof; requiring proposals; providing for exemption from services; providing for evaluation and a report; amending s. 411.202, F.S.; revising definition of the term “prevention”; amending s. 411.22, F.S.; revising legislative intent relating to handicap prevention and early assistance; amending s. 411.222, F.S.; providing additional intraagency responsibilities; increasing the membership of the State Coordinating Council for Early Childhood Services; expanding council duties; modifying reporting requirements; providing appropriations; providing effective dates.

By the Committee on Judiciary-Criminal and Senator Johnson—

CS for SB 1788—A bill to be entitled An act relating to appeals; amending s. 924.07, F.S.; providing that the state may appeal from an order dismissing an affidavit charging the commission of a criminal offense, the violation of probation, the violation of community control, or the violation of any supervised correctional release; amending s. 924.071, F.S., relating to grounds for appeal by the state; deleting a restriction limiting the state's right of appeal based on the type of evidence suppressed by a pretrial order and authorizing appeal from a pretrial order which conflicts with an appellate or supreme court decision; creating s. 924.345, F.S., relating to standard of review on appeal in criminal cases relating to sufficiency of evidence to sustain the verdict; providing an effective date.

By the Committees on Education and Transportation and Senators Johnson and D. Childers—

CS for CS for SB 1916—A bill to be entitled An act relating to drivers' licenses; amending s. 322.21, F.S.; increasing license fees to finance certain school district and nonpublic school costs; providing for the disbursement of such funds to school districts and nonpublic schools; amending s. 322.16, F.S.; providing content for a driver's license examination relating to the use of air brakes; providing effective dates.

By the Committee on Education and Senator Stuart—

CS for SB 1958—A bill to be entitled An act relating to education; providing for the planning and implementation of full school utilization programs; providing definitions; providing contents of plan; providing grant application and award procedures; providing program monitoring and evaluation; authorizing the adoption of rules; providing an effective date.

By the Committees on Economic, Professional and Utility Regulation; Community Affairs; and Senator McPherson—

CS for CS for SB 2076—A bill to be entitled An act relating to energy; amending s. 187.201, F.S.; providing policy in the state comprehensive plan with respect to renewable energy technologies and passive solar design techniques; amending s. 186.801, F.S.; requiring consideration of alternatives to electric utility site plans that increase the use of renewable resources; amending s. 196.175, F.S.; extending the property tax exemption for installation of renewable energy devices; amending s. 366.81, F.S.; requiring the Florida Public Service Commission, in reviewing utility energy efficiency and conservation plans, to consider certain economic effects of specified energy resources and systems; amending s. 366.82, F.S.; authorizing utility conservation plans to include reliance on solar and other renewable technologies; amending s. 163.04, F.S.; providing that deed restrictions or similar covenants or agreements may not prohibit energy devices based on renewable sources; amending s. 489.105, F.S.; defining “solar contractor”; providing that class A air conditioning contractors, class B air conditioning contractors, and mechanical contractors may install, replace, disconnect, or reconnect certain heating, ventilation, and air conditioning control wiring; amending s. 489.113, F.S.; authorizing solar contracting; creating s. 489.134, F.S.; specifying scope of licenses under part I and part II of ch. 489, F.S.; amending s. 489.503, F.S.; deleting certain exemptions from part II of ch. 489, F.S.; amending ss. 489.105, 489.505, F.S.; defining mediation; amending ss. 489.129, 489.533, F.S.; establishing a mediation process; creating s. 489.538, F.S.; specifying scope of licenses under part I and part II of ch. 489, F.S.; providing an effective date.

By the Committee on Judiciary-Criminal and Senator Kiser—

CS for SB 2142—A bill to be entitled An act relating to crime prevention; creating ch. 874, F.S., the “Street Terrorism Enforcement and Prevention Act of 1990”; creating s. 874.01, F.S.; providing a short title; creating s. 874.02, F.S.; providing legislative findings and intent; creating s. 874.03, F.S.; providing definitions; creating s. 874.04, F.S.; providing reclassified penalties for youth and street gang activity; creating s. 874.05, F.S.; providing a penalty for participating in a youth and street gang; creating s. 874.06, F.S.; providing a civil cause of action, including treble damages and attorney's fees; creating s. 874.08, F.S.; providing for seizure and forfeiture of profits, proceeds, and instrumentalities of youth and street gangs; creating s. 874.09, F.S.; requiring crime data information reporting; amending s. 893.138, F.S.; providing nuisance remedies with respect to buildings or places used for youth and street gang activity; providing an effective date.

By the Committee on Economic, Professional and Utility Regulation; and Senator McPherson—

CS for SB 2246—A bill to be entitled An act relating to building codes; creating part IV of ch. 489, F.S., consisting of ss. 489.601, 489.603, 489.605, 489.607, 489.609, 489.611, 489.613, 489.617, 489.619, 489.621, 489.623, 489.625, 489.627, 489.629, 489.631, F.S.; providing intent; providing definitions; creating the Building Officials Qualification Board; prohibiting employment of uncertified building code administrators or inspectors; providing for certification of building code administrators and inspectors; providing authority to establish additional qualification standards; providing equivalency considerations; providing for joint inspection departments and other considerations; providing for certificate renewal; providing for inactive certificate status; establishing fee caps; providing penalties; providing for reporting of criminal violations; amending s. 20.30, F.S.; providing for the addition of the board to the listing of boards under the department; amending s. 255.25, F.S.; providing authority to inspect government buildings; repealing s. 553.795, F.S., relating to voluntary certification of building code administrators and inspectors; providing for review and repeal; providing an effective date.

By the Committee on Commerce and Senator Stuart—

CS for SB 2276—A bill to be entitled An act relating to youth employment; creating the Florida Youth-at-Risk 2000 Pilot Program; providing legislative intent; providing definitions; specifying obligations of a mentor; specifying obligations of the youth participant; providing for demonstration sites; providing that primary program responsibility shall rest with the Department of Labor and Employment Security; providing for joint responsibility of other agencies; providing duties of the State Job Training Coordinating Council; providing for funding; providing for an annual report to the Legislature and specifying contents thereof; providing an effective date.

By the Committee on Education and Senators Stuart and Gordon—

CS for SB's 2278 and 1664—A bill to be entitled An act relating to education; creating s. 230.71, F.S.; providing intent; authorizing intergenerational school volunteer programs in school districts and developmental research schools; requiring plans and specifying components thereof; providing for interagency coordination; creating a trust fund and providing for the awarding of grants; creating an advisory board and providing duties; providing for Department of Education technical assistance; providing for evaluation and rules; providing for review and repeal; providing an effective date.

By the Committee on Economic, Professional and Utility Regulation; and Senator Malchon—

CS for SB 2438—A bill to be entitled An act relating to contractors; amending s. 489.503, F.S.; providing exemptions; amending s. 489.505, F.S.; defining the term "registered alarm system contractor"; amending s. 489.537, F.S.; providing for a registered electrical contractor to perform alarm system contracting in specified circumstances; creating ss. 489.128, 489.532, F.S.; providing that contracts performed by unlicensed contractors are unenforceable at law; amending s. 553.19, F.S.; updating electrical standards; providing an effective date.

By the Committee on Insurance and Senators Jennings, Bankhead, Kirkpatrick, Woodson-Howard, Dudley, Myers, Beard, Brown, Crenshaw, Deratany, Gardner, Peterson, Souto and Johnson—

CS for SB 2492—A bill to be entitled An act relating to workers' compensation; amending s. 20.13, F.S.; establishing a Bureau of Workers' Compensation Insurance Fraud within the Division of Insurance Fraud of the Department of Insurance; providing authority to adopt rules; amending s. 20.171, F.S.; creating a Division of Safety within the Department of Labor and Employment Security; creating within the Department of Labor and Employment Security an Industrial Relations Commission; providing membership and terms; providing for appointment of associate commissioners; providing for salaries; vesting in the commission all powers, duties, and responsibilities relating to review of orders of judges of compensation claims in workers' compensation proceedings; providing for review by appeal of final orders of judges of compensation claims; providing for transfer of workers' compensation actions pending before the First District Court of Appeal; providing for panels and en banc hearings; providing that the commission is not subject to control by the department; providing for expenditures; specifying powers of presiding commissioner; providing for a clerk; providing for a seal; providing for destruction of obsolete records; providing per diem and travel expenses;

providing for rules of procedure; creating s. 440.015, F.S.; providing legislative intent with respect to the Workers' Compensation Law; amending s. 440.02, F.S.; redefining "accident," "carrier," "employee," "employer," "employment," and "wages"; defining "individual self-insurer," "domestic individual self-insurer," "foreign individual self-insurer," "department," "insolvent member," "insolvency," and "independent medical exam"; creating s. 440.055, F.S.; requiring filing of affidavits; amending s. 440.09, F.S.; providing presumptions with respect to drug or alcohol use by injured employees; providing for reduction of benefits for failure to use safety equipment or follow safety rules; providing for drug testing; providing presumptions applicable upon the refusal to submit to testing; creating s. 440.092, F.S.; providing special requirements for compensability relating to deviation from employment, travel, social activities, intervening accidents, and going to or coming from work; amending s. 440.10, F.S.; providing subrogation for contractors under certain conditions; providing penalties for false, fraudulent, or misleading statements by subcontractors; providing requirements and procedures for obtaining a construction-related permit; amending s. 440.13, F.S.; providing a definition for "medicine"; providing for prior authorization for health care provider referrals; increasing the medical reporting period; prohibiting referrals to health care providers by persons having financial or ownership interests; providing exceptions; requiring disclosures; requiring depositions; providing limitations on witness fees; limiting the provision of attendant or custodial care; providing for medical evaluation by an independent health care provider; requiring compliance with financial responsibility; providing for prescription medication reimbursement; revising the method of determining hospital reimbursement; repealing the advisory committee to the 3-member panel; creating s. 440.135, F.S.; providing for pilot programs for medical, hospital, and remedial care; amending s. 440.15, F.S.; limiting availability of permanent total disability benefits; restricting entitlement to supplemental benefits; revising entitlement to temporary total disability benefits; requiring the establishment of a uniform disability rating guide; revising the method of calculating wage-loss benefits; revising the eligibility period of incarcerated employees for wage-loss benefits; revising the method of determining entitlement to wage-loss benefits; providing for termination of wage-loss benefits under certain conditions; revising the method of calculating temporary partial disability benefits; limiting entitlement to benefits for subsequent injuries under certain conditions and revising method of calculating benefits for subsequent injuries; amending s. 440.16, F.S.; terminating spouse benefits upon remarriage; amending s. 440.185, F.S.; requiring certain information and assistance to be furnished to injured employees; amending s. 440.19, F.S.; revising procedures for filing a claim for benefits; providing legislative intent; prohibiting award of attorney's fees or penalties in specified circumstances; amending s. 440.25, F.S.; revising procedures for mediation conferences; providing conforming language; repealing s. 440.26, F.S., which section provides presumptions with respect to the validity of claims; amending s. 440.271, F.S.; providing for appeal to the Industrial Relations Commission; providing for notice to and intervention by the division in such proceedings; creating s. 440.272, F.S.; providing procedures for review of orders of the Industrial Relations Commission; amending s. 440.34, F.S.; limiting attorney's fees; restricting the contents of a retainer agreement; amending s. 440.37, F.S.; providing penalties for fraudulent representations; amending s. 440.38, F.S.; providing for another method for securing workers' compensation coverage; providing for security deposits; providing penalties against self-insurance funds for failure to correct certain errors contained in an audit; creating s. 440.381, F.S.; prescribing insurance application forms; establishing minimum requirements for payroll audits and classifications; restricting accessibility to insurance coverage; providing penalties; providing indemnification of the carrier by the employer for certain misrepresentations; amending s. 440.385, F.S.; revising the obligation of the Florida Self-Insurance Guaranty Fund to certain insolvent members; deleting obsolete language; providing restrictions on withdrawing members; creating s. 440.386, F.S.; providing procedures for delinquency, conservation, and liquidation proceedings of self-insurers; providing penalties for failure to maintain certain records; amending s. 440.39, F.S.; providing recovery offsets for migrant workers; amending s. 440.43, F.S.; providing penalty for failure to secure insurance coverage; repealing s. 440.44(10), F.S.; eliminating the oversight board; amending s. 440.45, F.S.; providing conforming language; providing for appointment by statewide nominating commission; amending s. 440.49, F.S.; extending ability to make request for training and education benefits to carriers; providing limitation period for filing certain claims against the Special Disability Trust Fund; eliminating voluntary rehabilitation or training and education services; adding obesity; amending s. 440.52, F.S.; providing penalties for insurance carriers for failure to correct certain errors contained in an audit; amending s. 440.56, F.S.;

increasing penalties; providing rulemaking authority; creating s. 440.572, F.S.; authorizing certain self-insurers to assume the liabilities of their contractors and subcontractors; amending s. 440.59, F.S.; requiring reports; amending s. 489.114, F.S.; providing procedures for the Department of Professional Regulation in the event of cancellation of workers' compensation coverage of a contractor; amending s. 489.510, F.S.; providing procedures for the Department of Professional Regulation in the event of cancellation of workers' compensation coverage of an electrical contractor; amending s. 626.611, F.S.; providing grounds for imposing sanctions against insurance agents; amending s. 626.869, F.S.; revising requirements for classroom instruction for workers' compensation insurance adjusters; providing for drug testing; allowing for rate reductions for employers that implement specified drug testing programs; providing rulemaking authority; repealing s. 43, ch. 89-289, Laws of Florida; abrogating repeals scheduled pursuant to the Regulatory Sunset Act for specified provisions of ch. 440, F.S.; providing legislative intent regarding funding of the Industrial Relations Commission; providing appropriations; requiring rate reductions; requiring refunds; providing presumptions; repealing s. 38, ch. 89-289, Laws of Florida; abolishing the Joint Select Committee on Workers' Compensation; providing appropriations; providing that in the event specified provisions are held unconstitutional the act is void; providing an effective date.

By the Committee on Education and Senator Peterson—

CS for SB 2648—A bill to be entitled An act relating to education; amending s. 231.17, F.S.; authorizing the use of National Teacher Examination tests in certain circumstances; providing a 1-year extension of a 2-year nonrenewable teaching certificate in certain circumstances; creating s. 231.1725, F.S.; prescribing requirements for the employment of substitute teachers, teachers of adult education, and nondegreed teachers of vocational education; requiring applicants for teaching certificates to file a complete set of fingerprints; creating s. 231.173, F.S.; prescribing qualifications for certification of experienced out-of-state teachers; amending s. 231.172, F.S.; authorizing alternative preparation programs to train teachers for all the school levels; creating s. 231.174, F.S.; authorizing alternative teacher preparation programs in certain areas; providing an effective date.

By the Committee on Natural Resources and Conservation; and Senator Thurman—

CS for SB 2702—A bill to be entitled An act relating to petroleum storage; amending s. 376.301, F.S.; redefining the term "petroleum storage system"; amending s. 376.3071, F.S.; revising provisions with respect to the Early Detection Incentive Program; providing for redetermination of eligibility; revising language with respect to reimbursement for cleanup expenses; providing legislative intent; providing for quarterly applications; providing that the reimbursement provisions do not apply to sites on the National Priorities List; amending s. 206.9935, F.S.; revising language with respect to the tax for inland protection; providing for increased levies under certain circumstances; amending s. 376.305, F.S.; providing for the establishment of the abandoned tank restoration program to facilitate the restoration of sites contaminated by abandoned petroleum storage systems under the restoration program of the Petroleum Liability Insurance and Restoration Program; providing appropriations; providing an effective date.

By the Committee on Education and Senators Diaz-Balart and Weinstein—

CS for SB's 2872 and 464—A bill to be entitled An act relating to education; amending s. 233.058, F.S.; providing for English language instruction for limited English proficient students; providing definitions; providing school district procedures; providing for funding; providing for evaluation and rules; repealing s. 228.121(5), F.S., relating to entrance criteria and tuition fees for certain foreign students; providing an effective date.

By the Committee on Economic, Professional and Utility Regulation; and Senator Davis—

CS for SB 2908—A bill to be entitled An act relating to charitable solicitations; directing the Division of Consumer Services, in conjunction with the Department of Legal Affairs and the Department of State, to report to the Legislature regarding the effects of deregulation of charitable solicitors; providing an effective date.

By the Committee on Economic, Professional and Utility Regulation; and Senator Weinstein—

CS for SB 2938—A bill to be entitled An act relating to telecommunications; amending s. 501.059, F.S.; providing definitions; expanding the scope of restrictions on consumer telephone calls to include other telephonic sales calls; including mobile telephones and telephonic paging devices within such restrictions; deleting provisions relating to "no sales solicitation calls" telephone directory listings; providing for maintenance of a "no sales solicitation calls" list by the Division of Consumer Services of the Department of Agriculture and Consumer Services; providing for fees; prohibiting unsolicited telephonic sales calls to telephones included in such listing; providing circumstances under which a contract made pursuant to a telephonic sales call is invalid; restricting charges to consumer credit card accounts pursuant to such calls; providing exceptions; restricting use of automated systems for selection or dialing of telephone numbers; authorizing actions by the Department of Legal Affairs against violators; providing for award of attorney's fees and costs; requiring notice to telecommunications consumers; repealing ss. 365.165, 365.1655, F.S., relating to automated telephone solicitation and to the Florida Telephone Solicitation Act; providing an effective date.

By the Committee on Judiciary-Criminal and Senator Bankhead—

CS for SB 2948—A bill to be entitled An act relating to firearms and weapons; requiring the Department of Law Enforcement to develop and implement a data base system which collects, stores, and disseminates specified information with respect to the use of firearms in criminal activity; requiring the Department of Health and Rehabilitative Services to provide data regarding mental health clients to any law enforcement agency for use when issuing concealed weapons and firearms licenses or authorizing the sale or delivery of firearms; providing an effective date.

By the Committee on Economic, Professional and Utility Regulation—

CS for SB 2962—A bill to be entitled An act relating to the regulation of private investigators, recovery agents, and private security officers; creating s. 493.60, F.S.; providing a short title; providing purpose; creating s. 493.601, F.S.; providing for exemptions to the act; creating s. 493.602, F.S.; providing definitions; creating s. 493.603, F.S.; providing for rulemaking authority; providing for the establishment of fees; prohibiting imposition of additional license registration, or permit requirements; providing an exemption; providing for enforcement; providing for cease and desist orders; providing for a trust fund; providing for a newsletter; creating s. 493.604, F.S.; requiring the Department of State to file an annual report; creating s. 493.6045, F.S.; establishing an advisory council; providing duties; prescribing membership; prohibiting members from serving more than 4 years; creating s. 493.605, F.S.; establishing qualifications for licensure as a private investigator, recovery agent, and private security officer; establishing qualifications for certificates of authorizations for private investigative, recovery, and private security agencies; creating s. 493.6056, F.S.; establishing qualifications for licensure as a private investigator and recovery agent intern; creating s. 493.606, F.S.; establishing qualifications for the issuance of a firearms license; establishing reporting requirements; creating s. 493.6061, F.S.; establishing basic training requirements; creating s. 493.6065, F.S.; establishing application content requirements; requiring the department to conduct background investigations and fingerprint arrest record checks; creating s. 493.6066, F.S.; prohibiting acts by recovery agents and recovery agent interns; creating s. 493.6067, F.S.; prohibiting a recovery agent and recovery agent intern from selling property without written authorization; establishing a penalty; creating s. 493.6068, F.S.; providing for identification of vehicles used to provide repossession services; creating s. 493.6069, F.S.; establishing an inventory requirement; prescribing requirements in order to dispose of property; creating s. 493.607, F.S.; establishing licensure and certification requirements; authorizing the department to enter into reciprocal licensing agreements; providing for temporary licensure of nonresidents; creating s. 493.6075, F.S.; prescribing employment and uniform requirements; creating s. 493.608, F.S.; establishing license and certificate of authorization content requirements; establishing display requirements for a certificate of authorization; providing for doing business under a fictitious name; requiring that certificateholders issue employees an identification card; requiring that the employees carry their I.D. card whenever providing services pursuant to ch. 493, F.S.; creating s. 493.609, F.S.; establishing continuing education requirements; creating s. 493.6095, F.S.; providing renewal procedures for licenses, statewide firearms licenses, and certificates of authorization; requiring the department to update background investigations and fingerprint arrest record checks; creating s. 493.61, F.S.; establishing procedures under which

instructors, schools, or training facilities may apply for approval as a basic training and continuing education provider; establishing application content requirements; requiring the department to adopt rules; creating s. 493.611, F.S.; providing disciplinary procedures; establishing penalties; creating s. 493.62, F.S.; prohibiting the release of certain information; establishing penalties; creating s. 493.621, F.S.; establishing penalties; creating s. 493.623, F.S.; providing for departmental access to criminal justice information; creating s. 493.6284, F.S.; prohibiting use of state seal on any uniform or motor vehicle used in connection with licenses issued pursuant to ch. 493, F.S.; creating s. 493.629, F.S.; providing for cancellation of licenses and certificates; creating s. 493.63, F.S.; providing saving clauses; repealing s. 493.30, F.S., relating to definitions; repealing s. 493.301, F.S., relating to exemptions; repealing s. 493.302, F.S., relating to rulemaking authority; repealing s. 493.303, F.S., relating to the advisory council; repealing s. 493.304, relating to classes of licenses; repealing s. 493.305, F.S., relating to applications; repealing s. 493.306, F.S., relating to license requirements; repealing s. 493.3061, F.S., relating to the approval of schools; repealing s. 493.3065, F.S., relating to the period that a license is valid; repealing s. 493.307, F.S., relating to notification to the department when an agency partner or officer changes; repealing s. 493.308, F.S., relating to fees; repealing s. 493.309, F.S., relating to background investigations; repealing s. 493.3095, F.S., relating to reciprocity; repealing s. 493.31, F.S., relating to insurance requirements; repealing s. 493.311, F.S., relating to license, contents, posting, and identification cards; repealing s. 493.312, F.S., relating to change or location of licensee; repealing s. 493.313, F.S., relating to renewal of license; repealing s. 493.314, F.S., relating to cancellation or inactivation of license; repealing s. 493.315, F.S., relating to weapons and firearms; repealing s. 493.316, F.S., relating to the Division of Licensing Trust Fund; repealing s. 493.317, F.S., relating to prohibited acts by repossessioners and repossession interns; repealing s. 493.3175, F.S., relating to sale of property by a licensee; repealing s. 493.3176, F.S., relating to identification of vehicles for repossession; repealing s. 493.318, F.S., relating to inventories maintained by repossessioners; repealing s. 493.319, F.S., relating to disciplinary action; repealing s. 493.32, F.S., relating to the release of certain information; repealing s. 493.321, F.S., relating to penalties for violation of ch. 493; repealing s. 493.322, F.S., relating to enforcement powers; repealing s. 493.323, F.S., relating to access to criminal justice information; repealing s. 493.324, F.S., relating to the Department of Legal Affairs; repealing s. 493.325, F.S., relating to exclusion of tax; repealing s. 493.327, F.S., relating to information about licensees; repealing s. 493.328, F.S., relating to newsletters; repealing s. 493.3284, F.S., relating to use of the state seal; repealing s. 493.329, F.S., relating to saving clauses; repealing s. 493.561, F.S., relating to definitions; repealing s. 493.562, F.S., relating to exemption from regulation; repealing s. 493.563, F.S., relating to rules of the department; repealing s. 493.564, F.S., relating to advisory council; repealing s. 493.565, F.S., relating to application for license; repealing s. 493.566, F.S., relating to license requirements; repealing s. 493.5665, F.S., relating to the period a license is valid; repealing s. 493.567, F.S., relating to reciprocity; repealing s. 493.568, F.S., relating to licensee insurance; repealing s. 493.569, F.S., relating to intern licenses; repealing s. 493.57, F.S., relating to fees; repealing s. 493.571, F.S., relating to school licenses; repealing s. 493.572, F.S., relating to investigation of applicants; repealing s. 493.573, F.S., relating to the contents and display of licenses and retention of records; repealing s. 493.574, F.S., relating to renewal of licenses; repealing s. 493.575, F.S., relating to disciplinary proceedings; repealing s. 493.576, F.S., relating to penalties; repealing s. 493.577, F.S., relating to admissibility of evidence; repealing s. 493.578, F.S., relating to newsletters; repealing s. 493.579, F.S., relating to cancellation or inactivation of licenses; repealing ss. 4-11, ch. 89-280, Laws of Florida, relating to repossessioners; repealing ss. 493.60-493.63, F.S., October 1, 2000, and providing for review of such sections in advance of that date; requiring the department to provide a report; providing an effective date.

Motions

On motion by Senator Johnson, the rules were waived and **CS for SB 916** was ordered immediately certified to the House.

On motion by Senator Thurman, the rules were waived and **CS for SB 1834** was ordered immediately certified to the House.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator Grant, by two-thirds vote Senate Bills 2380, 2880 and 2520 were withdrawn from the committees of reference and further consideration.

On motions by Senator Margolis, by two-thirds vote Senate Bills 424, 1362 and 1516, CS for SB 1458 and CS for SB 1758 were withdrawn from Subcommittee A of the Committee on Appropriations.

On motions by Senator Margolis, by two-thirds vote CS for SB 1030 and SB 1386 were withdrawn from Subcommittee B of the Committee on Appropriations.

On motion by Senator Margolis, by two-thirds vote CS for SB 1884 was withdrawn from Subcommittee C of the Committee on Appropriations.

On motions by Senator Margolis, by two-thirds vote CS for SB 218, CS for SB 758, CS for SB 1048, CS for SB 2748 and Senate Bills 928, 1050, and 2698 were withdrawn from the Committee on Appropriations.

On motions by Senator Margolis, by two-thirds vote Senate Bills 832 and 904 were withdrawn from Subcommittee B of the Committee on Appropriations and the Committee on Appropriations.

On motions by Senator Margolis, by two-thirds vote SB 1218 was withdrawn from Subcommittee C of the Committee on Appropriations and the Committee on Appropriations.

On motions by Senator Margolis, by two-thirds vote CS for CS for SB 114 and CS for CS for SB 230 were referred to the Committee on Appropriations.

On motions by Senator Scott, by two-thirds vote CS for SB 2060 was withdrawn from the Committee on Community Affairs; SB 2578 was withdrawn from the Committee on Health Care; CS for SB 1566 and SB 2646 were withdrawn from the Committee on Governmental Operations; and CS for SB 1004 was withdrawn from the Committee on Corrections, Probation and Parole.

Committee Meeting Change

On motion by Senator Brown, the rules were waived and the Committee on Ethics and Elections was granted permission to place SB 1948 on the agenda this day.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The Governor advised that he had filed with the Secretary of State SB 324, which became law without his signature on May 16, 1990.

EXECUTIVE BUSINESS

Appointments Subject to Confirmation by the Senate:

The Secretary of State has certified that pursuant to the provisions of Section 114.05, Florida Statutes, certificates subject to confirmation by the Senate had been prepared for the following:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Florida Citrus Commission	
Appointees: English, Hugh M., La Belle	05/31/93
Smoak, Edward L., Lake Placid	05/31/91
Board of Trustees of Edison Community College	
Appointees: Adams, James R., Ft. Myers	05/31/94
Lynch, Robert C., Punta Gorda	05/31/94
Board of Trustees of Indian River Community College	
Appointees: Crago, Harriett K., Vero Beach	05/31/94
Knapp, Karen M., Port St. Lucie	05/31/94
Board of Trustees of North Florida Junior College	
Appointee: Pritchett, Elesta C., Greenville	05/31/94
Board of Trustees of Okaloosa-Walton Community College	
Appointee: Owens, Eddie Mae, Ft. Walton Beach	05/31/93
Board of Trustees of Palm Beach Community College	
Appointee: Sansbury, John C., West Palm Beach	05/31/94

<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Trustees of Pasco-Hernando Community College	
Appointees: Armstrong, E. D. III, New Port Richey	05/31/94
Ash, Henry A., Land O Lakes	05/31/94
Browning, Mark E., Brooksville	05/31/94
Board of Trustees of Pensacola Junior College	
Appointees: Crews, Joseph A., Jay	05/31/94
Rittenhouse, Charles N., Pensacola	05/31/94
Board of Trustees of St. Johns River Community College	
Appointee: Taylor, Suzanne McCormick, Ponte Vedra Beach	05/31/94
Board of Trustees of St. Petersburg Junior College	
Appointee: Lang, Joseph H., St. Petersburg	05/31/94
Board of Trustees of Santa Fe Community College	
Appointees: Dinkins, W. Arnold, Gainesville	05/31/94
Reddish, Drew F., Starke	05/31/94
Postsecondary Education Planning Commission	
Appointee: Talley, James M., Tampa	02/04/94

Referred to the Committee on Executive Business.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

First Reading

The Honorable Bob Crawford, President

I am directed to inform the Senate that the House of Representatives has passed HB 373, CS for HB 691, HB 735, CS for HB 865, CS for HB 949, CS for CS for HB 1097, CS for HB 1247, CS for HB 1275, CS for HB 1319, CS for HB 1553, HB 1645, CS for HB 1831, HB 1971, HB 2105, HB 2231, HB 2327, HB 2345, HB 2555, HB 2687, CS for HB 2743, CS for HB 2865, CS for CS for HB 2993, HB 3035, HB 3543, HB 3547, HB 3589, HB 3615, has passed as amended CS for HB 51, HB 613, HB 951, CS for HB 1001, CS for HB 1135, CS for HB's 1197 and 861, HB 1233, CS for HB 1383, CS for HB 1621, CS for HB 1709, CS for HB's 1799, 347 and 365, CS for HB 1823, HB 1977, CS for HB 2107, CS for HB 2139, HB 2159, CS for HB 2331, CS for HB 2375, HB 2543, HB 2745, CS for CS for HB 2917, HJR 3091, CS for CS for CS for HB 3181; has adopted HCR 451, HM 2469, HCR 3191, HCR 3253, HCR 3369, HCR 3465 and requests the concurrence of the Senate.

John B. Phelps, Clerk

By Representative Mims—

HB 373—A bill to be entitled An act relating to bicycle regulations; amending s. 316.2065, F.S.; requiring a bicycle rider who carries a child passenger to provide certain safety equipment; prohibiting a person who rides a bicycle on a highway or in a public place from allowing a child passenger to ride on the vehicle or on a bicycle trailer or bicycle semitrailer without a helmet; providing a penalty; providing that charges shall be dismissed in some circumstances; prohibiting a bicycle rider from allowing a child to remain in a child carrier when the rider is not in immediate control of the bicycle; requiring a label which states safety requirements to be affixed to boxes containing certain child carriers; prescribing types of bicycle trailers and bicycle semitrailers that may be attached to a bicycle; providing an effective date.

—was referred to the Committee on Transportation.

By the Committee on Commerce and Representative Ritchie—

CS for HB 691—A bill to be entitled An act relating to mortgage lending; creating ch. 521, F.S.; providing a short title; providing definitions; providing exemptions; providing for licensing and regulation of mortgage lenders by the Department of Banking and Finance; providing for rules; providing for fees and disposition thereof; providing for applications for licensure and renewal for mortgage lenders; providing for applications for licensure of correspondent mortgage lenders; requiring branch office permits; specifying conduct required of licensees; specifying grounds for disciplinary action; specifying disciplinary actions that may be taken by the department; providing that specified records maintained by a financial examiner are admissible in evidence; requiring maintenance of certain books, accounts, and records; providing for examination thereof; providing for investigations; providing confidentiality; providing

for privilege against civil liability; specifying powers of the department to issue or seek subpoenas; providing for injunctive and other relief for failure to comply with a subpoena; authorizing the court to require the refund of certain fees; providing for attorney's fees; providing for writs of ne exeat and attachment; providing for injunctions to restrain violations; providing for impoundment and receivership; authorizing the department to issue cease and desist orders and refund orders; prohibiting false, deceptive, or misleading statements; providing that certain fees and charges are not interest or finance charges for purposes of usury laws; specifying effect of failure to comply on the validity or enforceability of mortgage loans; providing that statutory and common law remedies are not superseded; prohibiting an unlicensed person from acting as a mortgage lender; prohibiting specified fraudulent or deceptive acts; prohibiting certain falsification or concealment of material facts; providing that licensees are exempt from licensing requirements of ch. 494, F.S., relating to regulation of mortgage brokers; providing certain parity; providing waiver; providing certain liability; providing penalties; providing exemptions for persons licensed under ch. 494, F.S.; providing intent; creating the Florida Mortgage Lending Sunset Review Task Force; providing for review and recommendations to the Legislature; providing for staff support; providing for review and repeal; providing effective dates.

—was referred to the Committee on Commerce.

By Representative Grindle—

HB 735—A bill to be entitled An act relating to elections; amending s. 101.72, F.S.; exempting certain counties from the requirement of providing a minimum number of voting booths or compartments; providing an effective date.

—was referred to the Committee on Ethics and Elections.

By the Committee on Ethics and Elections; and Representatives Sansom and Gutman—

CS for HB 865—A bill to be entitled An act relating to campaign financing; amending s. 106.15, F.S.; prohibiting candidates from using the services of employees of counties, municipalities, and special districts during established working hours; removing state officers from such prohibition; providing a penalty; providing an effective date.

—was referred to the Committees on Ethics and Elections; and Rules and Calendar.

By the Committee on Employee and Management Relations; and Representative Lawson—

CS for HB 949—A bill to be entitled An act relating to state employment; creating s. 110.1236, F.S.; requiring the Auditor General to conduct biennial performance and compliance audits of the state group health insurance plan, including certain review and recommendations; authorizing the Auditor General to contract with consultants; providing an effective date.

—was referred to the Committees on Personnel, Retirement and Collective Bargaining; Rules and Calendar; and Appropriations.

By the Committees on Finance and Taxation; and Governmental Operations; and Representative Ritchie—

CS for CS for HB 1097—A bill to be entitled An act relating to worthless checks; amending s. 215.34, F.S.; increasing the service fee charged by state officers and agencies and by qualified public depositories for returned checks; providing that an agency may provide by rule for a lower maximum fee; providing an effective date.

—was referred to the Committees on Governmental Operations; Finance, Taxation and Claims; and Appropriations.

By the Committee on Commerce and Representative Arnall—

CS for HB 1247—A bill to be entitled An act relating to the designation of a state band; creating s. 15.049, F.S.; designating the St. Johns River City Band as an official state band; providing an effective date.

—was referred to the Committees on Governmental Operations; and Rules and Calendar.

By the Committee on Public Transportation and Representative Hargrett and others—

CS for HB 1275—A bill to be entitled An act relating to transportation; amending s. 333.01, F.S.; providing definitions; amending s. 333.02, F.S.; providing for regulation of land uses in the vicinity of airports; amending s. 333.03, F.S.; providing for adoption of zoning regulations for runway clear zones and airport land use compatibility; creating s. 333.031, F.S.; creating the Airport Safety and Land Use Compatibility Study Commission; providing for a report; amending s. 333.05, F.S.; providing procedures for the adoption of zoning regulations; amending s. 333.06, F.S.; providing for zoning requirements; amending s. 333.07, F.S.; providing for variance requirements; providing an effective date.

—was referred to the Committee on Transportation.

By the Committee on Highway Safety and Construction; and Representative Silver—

CS for HB 1319—A bill to be entitled An act relating to bridge designations; designating a bridge on State Road 826 in Dade County as the Daniel D. Diefenbach Bridge; directing the Department of Transportation to erect suitable markers; providing an effective date.

—was referred to the Committee on Transportation.

By the Committee on Higher Education and Representative B. L. Johnson and others—

CS for HB 1553—A bill to be entitled An act relating to the University of Florida Institute of Food and Agricultural Sciences; providing for the Board of Regents to sell, trade, exchange, or otherwise dispose of certain state agricultural research and education property and use the proceeds of such sale or disposition to obtain replacement property; providing for proceeds to be deposited into a specified trust fund; authorizing the Board of Regents to purchase certain property for the relocation or construction of new agricultural research and education facilities; providing for the uses of such funds; specifying procedures for planning and budgeting construction projects; providing an effective date.

—was referred to the Committees on Higher Education, Agriculture and Appropriations.

By Representatives King and Silver—

HB 1645—A bill to be entitled An act relating to weapons and firearms; amending s. 790.001, F.S.; amending the definition of “destructive device,” and reenacting ss. 775.087(2)(a) and 790.145(1), F.S., relating to mandatory minimum sentencing and possession of weapons in pharmacies, to incorporate said amendment in references thereto; amending s. 790.161, F.S.; revising penalty provisions relating to destructive devices and adding as an element of the offense that it be willful and unlawful; amending ss. 790.1615 and 790.162, F.S., to conform; amending s. 790.165, F.S.; revising the definition of “hoax bomb” and excepting security personnel from certain penalty provisions; creating s. 790.1612, F.S.; providing authorization for certain governmental manufacture, possession, and use of destructive devices; providing an effective date.

—was referred to the Committees on Judiciary-Criminal and Appropriations.

By the Committee on Highway Safety and Construction; and Representatives Albright and Reddick—

CS for HB 1831—A bill to be entitled An act relating to road designations; designating a portion of U.S. Highway 27 in Ocala as the Reverend Frank George Pinkston, Sr., Memorial Highway; designating a portion of U.S. Highway 441 in Orlando as the Edward Daniel Davis, Sr., Memorial Highway; directing the Department of Transportation to erect suitable markers; providing an effective date.

—was referred to the Committee on Transportation.

By Representative Deutsch—

HB 1971—A bill to be entitled An act relating to motor vehicles; amending s. 316.008, F.S., relating to the “combat automobile theft” program; providing for use of a uniform decal approved by the Department of Law Enforcement; providing an effective date.

—was referred to the Committee on Judiciary-Criminal.

By Representative Abrams and others—

HB 2105—A bill to be entitled An act relating to insurance; amending s. 627.351, F.S.; increasing the maximum surplus as to policyholders that certain members of the windstorm risk apportionment plan may have in order to qualify as a limited apportionment company; providing an effective date.

—was referred to the Committee on Insurance.

By Representative Reaves—

HB 2231—A bill to be entitled An act relating to designation of state historic highways; designating a portion of Northwest 2nd Avenue in Miami as a state historic highway; providing for the erection of suitable markers; providing an effective date.

—was referred to the Committee on Transportation.

By Representative Rudd—

HB 2327—A bill to be entitled An act relating to public officers and employees; amending s. 112.324, F.S., relating to ethics commission procedures on complaints of violations; providing for the dismissal of a complaint under certain circumstances; requiring a public report; providing an effective date.

—was referred to the Committee on Ethics and Elections.

By Representatives Rojas and Sindler—

HB 2345—A bill to be entitled An act relating to youth services; amending s. 959.225, F.S.; authorizing disclosure of privileged youth services information to the Parole Commission; providing an effective date.

—was referred to the Committees on Health and Rehabilitative Services; and Governmental Operations.

By the Committee on Health and Rehabilitative Services; and Representative Press—

HB 2555—A bill to be entitled An act relating to disabled adults; amending s. 410.603, F.S.; redefining “disabled adult”; amending s. 410.604, F.S.; providing for priority for services; providing an effective date.

—was referred to the Committees on Health and Rehabilitative Services; and Appropriations.

By Representative Graham—

HB 2687—A bill to be entitled An act relating to higher education; providing a definition of hazing; providing for the prohibition of hazing on campuses of public and private universities and colleges; requiring private colleges and universities to provide to the State Board of Independent Colleges and Universities a copy of their hazing policies; providing an effective date.

—was referred to the Committee on Higher Education.

By the Committee on Employee and Management Relations; and Representative Bloom—

CS for HB 2743—A bill to be entitled An act relating to state employees; providing legislative intent; creating the “Family Support Personnel Policies Act”; directing the Department of Administration to develop a model rule with respect to family support personnel policies; providing a timeframe for the adoption of the rule; directing agencies to appoint advisory committees by a certain date; providing an effective date.

—was referred to the Committees on Personnel, Retirement and Collective Bargaining; Governmental Operations; and Appropriations.

By the Committee on Environmental Regulation and Representative Hawkins and others—

CS for HB 2865—A bill to be entitled An act relating to water resources; creating s. 373.625, F.S.; providing legislative findings and intent relating to the conservation of water through xeriscaping; providing for use of xeriscaping on certain state-owned land; encouraging local ordinances for and local governmental use of xeriscaping; encouraging public education and promotion; providing an effective date.

—was referred to the Committee on Natural Resources and Conservation.

By the Committees on Appropriations and Education and Representative Wetherell and others—

CS for CS for HB 2993—A bill to be entitled An act relating to education; amending s. 229.808, F.S., relating to the annual nonpublic school survey; requiring fingerprinting of owners of nonpublic schools; providing procedures; prohibiting ownership or operation of nonpublic schools by certain persons; authorizing the fingerprinting of school employees; providing exceptions; requiring a notarized statement; providing a penalty; providing an effective date.

(Substituted for CS for SB 1476 on the special order calendar this day.)

By Representative Saunders—

HB 3035—A bill to be entitled An act relating to searches and seizures; amending s. 901.151, F.S.; prescribing circumstances under which a law enforcement officer may search a person detained under the Stop and Frisk Law for a dangerous weapon; providing an effective date.

—was referred to the Committees on Judiciary-Criminal and Judiciary-Civil.

By the Committee on Agriculture and Representatives Harris and Lewis—

HB 3543—A bill to be entitled An act relating to designation of state buildings; requiring the Board of Regents of the Division of Universities of the Department of Education to name the research center building at the University of Florida, Institute of Food and Agricultural Sciences (IFAS), Everglades Research and Education Center, Belle Glade, the "Herman H. and Ruth S. Wedgworth Building"; requiring the Board of Regents to erect suitable markers; providing an effective date.

—was referred to the Committee on Higher Education.

By the Committee on Agriculture and Representatives Mackey and Harris—

HB 3547—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; amending s. 570.23, F.S.; increasing the membership of the State Agricultural Advisory Council; providing an effective date.

—was referred to the Committee on Agriculture.

By the Committee on Regulatory Reform and Representative Morse—

HB 3589—A bill to be entitled An act relating to bail bondsmen and runners regulation; amending s. 648.25, F.S.; revising definitions; amending ss. 648.26 and 648.265, F.S.; changing the name of the Bail Bond Regulatory Board to the Bail Bond Advisory Council; deleting obsolete language; amending s. 648.266, F.S., to conform; amending s. 648.27, F.S.; revising requirements relating to the licensure and appointment of managing general agents, bail bondsmen, and runners; amending s. 648.29, F.S.; providing requirements for build-up funds posted by bail bondsmen or managing general agents; creating s. 648.295, F.S.; providing reporting and accounting requirements for licensees; amending s. 648.30, F.S.; requiring licensure and appointment of bail bondsmen and runners; amending s. 648.31, F.S.; providing appointment taxes and fees; amending s. 648.315, F.S.; providing requirements for reapplication for licensure; amending s. 648.33, F.S.; deleting provisions requiring the Department of Insurance to notify the Bail Bond Regulatory Board of bail bond rate filings; amending ss. 648.34 and 648.35, F.S.; revising requirements for application for licensure as a bail bondsman; amending s. 648.36, F.S.; requiring maintenance of certain records; amending s. 648.365, F.S.; requiring the reporting of specified information to the Department of Insurance; amending s. 648.37, F.S.; providing requirements for licensure as a runner; amending s. 648.38, F.S.; revising examination requirements for licensure as a bail bondsman; creating s. 648.381, F.S.; providing reexamination requirements; creating s. 648.382, F.S.; providing requirements for the appointment of bail bondsmen and runners; creating s. 648.383, F.S.; providing for renewal of such appointments; creating s. 648.384, F.S.; providing for the expiration of appointment as a bail bondsman or runner; amending s. 648.388, F.S.; requiring appointment for managing general agents; amending s. 648.39, F.S.; providing for termination of appointment; amending s. 648.40, F.S.; requiring licensed professional bondsmen to apply for appointment; amending s. 648.41, F.S.; providing for termination of appointment as a runner; amending s. 648.42, F.S.; revising requirements for registration of bail bondsmen with sheriffs and court clerks; amending s. 648.421, F.S.; providing requirements for notice

of change of address or telephone number; amending s. 648.43, F.S., to conform; amending s. 648.44, F.S.; providing additional prohibitions for bail bondsmen and runners; amending s. 648.441, F.S.; clarifying prohibiting certain furnishing of supplies to unlicensed bail bondsmen; amending s. 648.442, F.S.; providing requirements for collateral security received by bail bondsmen; amending s. 648.4425, F.S.; requiring a bail bondsman to provide notice of the name, address, and telephone number of the Department of Insurance to certain persons; amending s. 648.45, F.S.; providing additional circumstances under which the department may suspend a license or appointment; amending s. 648.46, F.S.; providing for disciplinary actions under ch. 120, F.S.; authorizing the council to review disciplinary actions taken by the department; amending s. 648.48, F.S.; removing certain powers of the board with respect to witnesses and evidence; amending ss. 648.49 and 648.50, F.S.; increasing the period of time during which a license may be suspended or revoked; providing for the suspension or revocation of an appointment; providing a penalty; amending s. 648.51, F.S.; deleting obsolete provisions; amending s. 648.52, F.S.; authorizing the department to issue fines in lieu of a suspension or revocation of an appointment; amending s. 648.53, F.S.; providing for probation in addition to other fines and penalties; amending s. 648.55, F.S.; providing requirements for the appointment of bail bondsmen; amending s. 648.57, F.S.; providing penalties; amending s. 648.571, F.S.; requiring return of certain collateral; authorizing certain expenses to be deducted from the collateral held as security for a bond; amending s. 648.573, F.S., to conform; creating s. 648.58, F.S.; providing for injunctions and restraining orders; repealing s. 648.32, F.S., relating to initial licensure under the chapter; saving ch. 648, F.S., from Sunset repeal; providing for future review and repeal; amending s. 624.01, F.S.; providing that ch. 648, F.S., is part of the Insurance Code; providing an effective date.

—was referred to the Committees on Insurance and Appropriations.

By Representatives Jamerson and Mortham—

HB 3615—A bill to be entitled An act relating to the University of South Florida; renaming Bayboro Hall on the USF St. Petersburg Campus as the "Lowell E. Davis Memorial Hall"; directing the Board of Regents of the Division of Universities of the Department of Education to erect suitable markers designating the building; providing an effective date.

—was referred to the Committee on Higher Education.

By the Committee on Emergency Preparedness, Military and Veterans Affairs; and Representative Geller—

CS for HB 51—A bill to be entitled An act relating to parking facilities; requiring the parking facility of every non-residential structure built after a certain date and designed to use covered or underground parking as the primary available parking to have a minimum height clearance; requiring specified signs; providing an exemption from height specified limitations and requirements imposed by local ordinance; providing exemptions for certain structures for which plans have been sealed by an architect; providing an effective date.

—was referred to the Committees on Community Affairs, Transportation and Appropriations.

By Representatives D. L. Jones and Kelly—

HB 613—A bill to be entitled An act relating to medical practice; amending s. 458.319, F.S.; revising language with respect to the renewal of certain licenses to require a licensee to complete a clinical competency examination under certain circumstances; amending s. 458.347, F.S.; revising language with respect to the composition of the Physician Assistant Committee; amending s. 458.311, F.S.; relating to licensure by examination; amending s. 458.331, F.S.; relating to grounds for disciplinary action; providing an effective date.

(Substituted for CS for SB 1830 on the special order calendar this day.)

By Representative Wallace and others—

HB 951—A bill to be entitled An act relating to clean outdoor air; providing legislative findings and intent; providing definitions; requiring training and certification in the installation and use of refrigerant recycling equipment; providing for fees; providing duties of the Department of Environmental Regulation; providing penalties; providing an appropriation; amending s. 316.2935, F.S.; providing for a mandatory reduction in penalty for tampering with air pollution control equipment if the viola-

tion is corrected; amending s. 316.6105, F.S.; amending s. 316.2935, F.S.; providing an exemption from the requirement of air pollution control equipment; requiring licensed motor vehicle dealers to visually observe air pollution control devices; directing the Department of Environmental Regulation to provide certain rules; providing for the issuance of an affidavit-of-compliance form by a law enforcement officer who issues a citation for tampering with air pollution control equipment; amending s. 318.18, F.S.; modifying the penalty for tampering with air pollution control equipment; providing for a reduced fine under certain circumstances; providing an effective date.

—was referred to the Committee on Natural Resources and Conservation.

By the Committee on Environmental Regulation and Representative C. Smith and others—

CS for HB 1001—A bill to be entitled An act relating to public water supply; amending s. 381.261, F.S.; providing duties of the Department of Health and Rehabilitative Services relating to private and certain public water systems; providing fees; deleting responsibility for individual sewage disposal systems; creating s. 381.2615, F.S.; providing for deposit of certain fees and penalties; providing for transfer of certain fees from the Department of Environmental Regulation to the Department of Health and Rehabilitative Services; amending s. 403.854, F.S.; expanding a waiver; amending s. 403.860, F.S.; authorizing noncompliance fees relating to safe drinking water monitoring, reporting, and licensure requirements; providing procedures and limitations; amending s. 403.861, F.S.; providing for licensure of public water systems; providing for fees; creating s. 403.8615, F.S.; creating the Florida Safe Drinking Water Trust Fund under the Department of Environmental Regulation; providing for deposit of certain fees and penalties; providing for use of funds; amending s. 403.862, F.S.; providing duties of the Department of Health and Rehabilitative Services and the county public health units under the Florida Safe Drinking Water Act; providing for review of certain county public health unit functions; providing an effective date.

—was referred to the Committees on Health Care; and Finance, Taxation and Claims.

By the Committee on Commerce and Representative Bloom—

CS for HB 1135—A bill to be entitled An act relating to charitable solicitation; directing the Division of Consumer Services, in conjunction with the Department of Legal Affairs and the Department of State, to report regarding the effects of deregulation of charitable solicitors; providing an effective date.

—was referred to the Committee on Economic, Professional and Utility Regulation.

By the Committee on Highway Safety and Construction; and Representatives Rudd and others—

CS for HB's 1197 and 861—A bill to be entitled An act relating to state uniform traffic control; amending s. 316.302, F.S.; exempting described persons who drive commercial motor vehicles from certain safety regulations; providing an effective date.

—was referred to the Committee on Transportation.

By Representatives Sansom and Jennings—

HB 1233—A bill to be entitled An act relating to public schools; amending s. 233.067, F.S.; authorizing school districts to offer 9th through 12th grade students training in cardiopulmonary resuscitation for certification purposes; authorizing school districts to arrange with local governments or nonprofit associations to provide such training through certified instructors; providing an effective date.

—was referred to the Committee on Education.

By the Committee on Highway Safety and Construction; and Representative Troxler and others—

CS for HB 1383—A bill to be entitled An act relating to state uniform traffic control; creating s. 316.3045, F.S.; prohibiting the operation of radios or other mechanical soundmaking devices in motor vehicles which are audible at a certain distance from the vehicle or is louder than necessary; providing exemptions; providing a penalty; providing an effective date.

—was referred to the Committees on Transportation and Judiciary-Civil.

By the Committee on Judiciary and Representative Logan—

CS for HB 1621—A bill to be entitled An act relating to child support; amending s. 61.046, F.S.; redefining the term "income"; amending s. 61.11, F.S.; providing for writs in support cases; amending s. 61.13, F.S.; prohibiting discrimination with respect to sex in determining primary residence of a child; amending s. 61.1301, F.S.; providing an additional requirement with respect to income deduction orders; revising language with respect to enforcement; amending s. 61.16, F.S.; requiring attorney's fees and other costs to be assessed; amending s. 61.181, F.S.; revising language with respect to the central depository for receiving, recording, reporting, monitoring, and disbursing alimony, support, maintenance, and child support payments; providing for disbursement of certain checks; authorizing the depository to require certain information; amending s. 61.183, F.S.; requiring certain costs to be assessed with respect to mediation; amending s. 68.02, F.S.; including support as a reason for issuance of a writ; amending s. 88.031, F.S.; providing for a definition of support; creating s. 88.0515, F.S.; providing additional methods for enforcing orders and judgments and providing for recovery of costs; amending s. 88.331, F.S.; limiting judicial jurisdiction under certain conditions; amending s. 213.053, F.S.; authorizing release of certain information to the child support agency; amending s. 409.2554, F.S.; redefining the term "support"; expanding the definition of "administrative costs" and defining "child support services"; amending s. 409.2561, F.S.; providing for recovery of past period child support obligations; amending s. 409.2564, F.S.; specifying the attorney-client relationship in Title IV-D cases and providing authority for modifications; amending s. 409.2567, F.S.; including certain fees as administrative costs; amending s. 409.2571, F.S.; providing for services to the Title IV-D agency; amending s. 409.2577, F.S.; providing statutory clarification regarding access to confidential information; amending s. 409.2584, F.S.; revising language with respect to the interest earned on certain judgments; creating s. 409.2595, F.S.; providing authority to enter into specified contractual agreements; creating s. 409.2596, F.S.; providing for the admissibility in evidence of electronic data; creating s. 409.2598, F.S.; providing for suspension of licenses or certifications for delinquent support; amending s. 455.203, F.S.; providing for suspension of licenses for delinquent support; amending s. 559.79, F.S.; requiring additional data for license application; providing for suspension of licenses for delinquent support; requesting the Florida Supreme Court to adopt certain rules; amending s. 742.08, F.S.; providing authority for assessment of certain costs and fees with respect to default of support payments; amending s. 742.10, F.S.; revising language with respect to establishment of paternity for certain children; providing an effective date.

—was referred to the Committee on Judiciary-Civil.

By the Committee on Children and Youth; and Representatives Roberts and Bainter—

CS for HB 1709—A bill to be entitled An act relating to runaway youths; amending s. 409.441, F.S.; requiring certain reporting by a person sheltering a runaway youth and providing a non-criminal infraction for failure to comply; providing a definition; deleting obsolete material; providing an effective date.

—was referred to the Committee on Health and Rehabilitative Services.

By the Committee on Health Care and Representative Lippman and others—

CS for HB's 1799, 347 and 365—A bill to be entitled An act relating to clean indoor air; amending s. 386.203, F.S.; modifying definitions; amending s. 386.204, F.S.; modifying prohibition against smoking in a public place; amending s. 386.205, F.S.; requiring the designation of smoking areas in certain facilities; providing additional places that may not be designated as smoking areas; modifying requirements for designating a patient's room as a smoking area; eliminating exceptions to the square footage limitation for smoking areas in certain public places; providing for smoking areas in facilities having common areas under certain circumstances; amending s. 386.206, F.S.; modifying authorization for certain discretionary signs; creating s. 386.211, F.S.; making it unlawful to interfere with a person who reports certain violations; providing for enforcement; prohibiting personnel actions based on the use of tobacco products; creating s. 386.212, F.S.; requiring public announcements in certain public transportation terminals that smoking is allowed only in designated areas; providing an effective date.

—was referred to the Committees on Regulated Industries and Health Care.

By the Committee on Judiciary and Representative Drage—

CS for HB 1823—A bill to be entitled An act relating to condominiums; amending s. 718.103, F.S.; redefining the terms “association property” and “unit owner”; amending s. 718.104, F.S.; providing requirements for land surveys; amending s. 718.105, F.S.; authorizing the clerk of the court to disburse certain funds; amending s. 718.110, F.S., relating to acquisition of property and material alterations or additions to property; revising language with respect to amendments to the declaration; providing reference to recording; amending s. 718.111, F.S.; revising language with respect to the association; providing that the association must be a Florida corporation; providing that directors may not vote by proxy at board meetings; providing that chapter 718 is not intended to limit or restrict the power of condominium associations except as expressly provided; revising language with respect to class action; providing that the power to acquire personal property shall be exercised by the board of administration; providing that there shall be no limitation on the right of the board to purchase units at a foreclosure sale; revising language with respect to easements; amending s. 718.112, F.S.; revising language with respect to bylaws; providing that condominiums may provide in the bylaws for a lower number than a majority to establish a quorum; providing that the association may require a security deposit from prospective lessees; providing that associations operating an aggregate of more than 50 units must bond persons who control or disburse association funds; amending s. 718.113, F.S.; providing that the declaration may include reference that the association provide certain maintenance for the condominium; providing limitations upon improvements of association property; amending s. 718.115, F.S.; revising language with respect to common expenses and common surplus; providing for inclusion of certain television services; amending s. 718.116, F.S.; deleting certain language relating to notice of foreclosure where the association cannot locate the unit owner; providing for expenses of a receiver; modifying provisions relating to liability for common expenses and assessments in a foreclosure sale or deed transfer in lieu thereof; amending s. 718.202, F.S.; providing that there shall be no requirement of any filing with the Division of Florida Land Sales, Condominiums, and Mobile Homes in the case of condominiums other than residential condominiums; amending s. 718.303, F.S.; revising language with respect to waiver of any rights under chapter 718; amending s. 718.401, F.S.; providing that arbitration pursuant to an option to buy commonly used facilities may be conducted pursuant to chapter 44 or chapter 682; amending s. 718.403, F.S.; revising notice requirements with respect to a decision not to add to a phase condominium; amending s. 718.504, F.S., relating to the prospectus or offering circular; requiring certain descriptions; amending s. 718.618, F.S.; modifying voting interests language relating to converter reserve accounts; amending s. 617.017, F.S.; modifying language relating to procedures to amend the articles of incorporation; amending s. 617.041, F.S.; deleting language excluding provisions relating to quorum and voting requirements of corporations with respect to condominium associations; repealing s. 718.201, F.S., relating to taxes and the bond for payment of liability during construction; providing an effective date.

—was referred to the Committees on Regulated Industries and Appropriations.

By Representative Sindler—

HB 1977—A bill to be entitled An act relating to termination of parental rights; amending s. 39.473, F.S.; providing for expedited appeals of orders terminating parental rights; amending s. 39.01, F.S.; revising a definition; amending s. 39.453, F.S.; extending the period of the court's jurisdiction over a child for whom custody is given to a social service agency; amending s. 39.464, F.S.; providing that a voluntarily executed parental surrender of a child and custody consent order may be withdrawn only upon a court finding of fraud or duress; amending s. 63.152, F.S.; providing for preparation of a new birth record by the child-placing agency in an agency adoption; providing an effective date.

—was referred to the Committee on Judiciary-Civil.

By the Committee on Insurance and Representative Abrams and others—

CS for HB 2107—A bill to be entitled An act relating to insurance; amending s. 627.215, F.S.; providing an alternative basis for calculation of excess profits for specified forms of insurance; revising excess profits calculations; providing retroactivity; providing an effective date.

—was referred to the Committees on Insurance, Judiciary-Civil and Appropriations.

By the Committee on Agriculture and Representative Sindler and others—

CS for HB 2139—A bill to be entitled An act relating to the sale of dogs or cats; amending and renumbering s. 585.195, F.S.; revising inoculation and deworming requirements for dogs and cats transported into the state for sale or offered for sale within the state; revising requirements relating to health certificates for such dogs and cats; providing for use, retention, and contents of certificates; providing timeframes and age requirements; providing remedies for the consumer if the dog or cat is found unfit for purchase; providing procedures; requiring pet dealers to provide consumers with a written notice of their rights; defining “pet dealer”; providing for injunctive relief; providing exemptions; prohibiting a pet dealer from misrepresenting the breed, sex, or health of a dog or cat; providing penalties; providing an effective date.

—was referred to the Committee on Agriculture.

By Representative Wetherell—

HB 2159—A bill to be entitled An act relating to traffic control; amending s. 27.3455, F.S.; providing for additional court costs in certain traffic cases; amending s. 318.141, F.S.; authorizing sheriffs' departments and police departments to employ specially trained auxiliary officers for the limited purpose of directing traffic and operating fixed traffic control devices; empowering the Division of Criminal Justice Standards and Training of the Department of Law Enforcement to set minimum standards for instruction and authorizing local training; providing an effective date.

(Substituted for CS for SB 610 on the special order calendar this day.)

By the Committee on Natural Resources and Representatives Long and Mortham—

CS for HB 2331—A bill to be entitled An act relating to traffic control; creating s. 372.705, F.S.; prohibiting the interference with the lawful taking of fish, game, or nongame animals; providing penalties; amending s. 316.640, F.S.; providing that the Division of Law Enforcement of the Game and Fresh Water Fish Commission, the Division of Law Enforcement of the Department of Natural Resources, and state university police officers may enforce traffic laws; reenacting s. 316.516(1), F.S., to incorporate the amendment to s. 316.640, F.S., in a reference thereto; providing an effective date.

—was referred to the Committees on Natural Resources and Conservation; and Transportation.

By the Committees on Rules and Calendar; and Ethics and Elections; and Representative Ostrau—

CS for HB 2375—A bill to be entitled An act relating to public officers, candidates for public office, and public employees; amending s. 112.312, F.S.; providing additional definitions for purposes of the code of ethics for public officers and employees and s. 8, Art. II, State Const.; amending s. 112.313, F.S.; including provisions regulating representation before certain agencies by legislators, statewide elected officers, and agency employees, and standards of conduct for legislators and legislative employees; removing provisions relating to disclosure of certain specified interests by public officers and employees and candidates for public office; revising an exemption from the prohibition against doing business with one's own agency or entering into a conflicting employment relationship and providing additional exemptions; repealing s. 112.3141, F.S., relating to representation before certain agencies by legislators, statewide elected officers, and agency employees, and standards of conduct for legislators and legislative employees; amending s. 112.3143, F.S.; revising provisions relating to voting conflicts and disclosure with respect thereto; amending s. 112.3145, F.S.; revising provisions relating to gifts and contributions which are not required to be included in the statement of financial interests; requiring certain officers, candidates, and employees who hold a specified relationship with certain business entities to file a disclosure statement as part of their financial disclosure statement; amending s. 112.3146, F.S.; correcting a reference; amending s. 112.3147, F.S.; revising provisions relating to forms prescribed by the Commission on Ethics; amending s. 112.3148, F.S.; revising provisions relating to gifts from relatives which are not required to be included in the required statement of contributions received; amending s. 112.317, F.S.; prescribing penalties for violating the code of ethics or s. 8, Art. II, State Const., relating to ethics in government; providing for civil actions to recover certain penalties; amending s. 112.3185, F.S., relating to prohibited contrac-

tual relationships; revising the definition of "relative"; amending s. 112.320, F.S.; specifying that the Commission on Ethics is the commission provided for in s. 8, Art. II, State Const.; amending s. 112.322, F.S.; providing for state attorneys and agency heads to report information of violations of the code of ethics to the commission for investigation; prescribing investigatory and other powers and duties of the commission with respect to a sworn complaint of a breach of the public trust; providing for issuance of advisory opinions by the commission; authorizing the commission to delegate the authority to administer oaths and issue and serve subpoenas; authorizing the commission to make rules; creating s. 112.3231, F.S.; providing time limitations for commission actions; amending s. 112.324, F.S.; modifying procedures on complaints of violations of part III, ch. 112, F.S., or s. 8, Art. II, State Const.; designating proper disciplinary officials; providing an effective date.

—was referred to the Committees on Ethics and Elections; and Rules and Calendar.

By the Committee on Agriculture and Representatives Trammell and Harris—

HB 2543—A bill to be entitled An act relating to animal industry; reorganizing chapter 585, F.S.; creating s. 585.001, F.S.; providing definitions; amending and renumbering s. 585.011, F.S.; authorizing rulemaking by the Department of Agriculture and Consumer Services; providing for fees; renumbering s. 585.35, F.S.; amending and renumbering s. 585.36, F.S., relating to enforcement and duties of state attorneys; amending and renumbering s. 585.37, F.S., relating to enforcement by courts; amending and renumbering s. 585.39, F.S., relating to interference with department employees; amending and renumbering s. 585.41, F.S., relating to penalties; increasing a fine; amending s. 585.01, F.S.; providing definitions; amending s. 585.08, F.S., relating to protection against communicable disease; amending s. 585.09, F.S., relating to condemnation; amending s. 585.10, F.S., relating to payment for condemned animals; amending and renumbering s. 585.44, F.S., relating to approved brucella vaccine; amending s. 585.11, F.S., relating to cooperation with United States authorities; amending s. 585.14, F.S., and creating s. 585.145, F.S., relating to control of animal diseases; requiring health tests and certificates for movement or transfer of animals; amending s. 585.15, F.S.; providing for reportable diseases; amending s. 585.155, F.S., relating to whole-herd and calf vaccination; amending s. 585.16, F.S., relating to powers of the Division of Animal Industry with respect to transmissible diseases; amending s. 585.17, F.S., relating to care of and liability for animals with transmissible diseases; amending s. 585.18, F.S., relating to duty to report diseased animals; amending s. 585.19, F.S., relating to duty of veterinarian or owner to report certain diseases; providing a penalty; amending s. 585.195, F.S.; correcting a reference; amending s. 585.20, F.S., relating to injection of pathogenic organisms into animals; amending s. 585.21, F.S., relating to manufacture and sale of biological products; amending s. 585.22, F.S., relating to public notice of general quarantines; amending s. 585.23, F.S., relating to compliance by owners of quarantined animals and premises; amending s. 585.24, F.S., relating to cattle fever tick eradication; amending s. 585.30, F.S., relating to procedure where owner refuses to dip an animal; amending s. 585.38, F.S., relating to destruction of property used in eradication of diseases; amending s. 585.40, F.S., relating to violation of quarantine; amending s. 585.432, F.S., relating to screwworm control and eradication; amending s. 585.45, F.S., relating to right to declaratory judgment; amending ss. 585.48, 585.50, 585.51, 585.52, 585.53, and 585.59, F.S., relating to feeding garbage to animals; amending ss. 585.61, 585.621, 585.64, and 585.65, F.S., relating to animal disease diagnostic laboratories; amending s. 585.671, F.S., relating to control and eradication of equine infectious anemia and equine piroplasmiasis; creating s. 585.70, F.S.; providing definitions; creating s. 585.71, F.S.; providing legislative intent relating to the regulation of animal products; creating s. 585.72, F.S.; providing for adulteration; creating s. 585.73, F.S.; providing for misbranding; creating s. 585.74, F.S.; requiring a Grant of Inspection to prepare, transport, or sell animal products; creating s. 585.75, F.S.; requiring certain inspections; creating s. 585.76, F.S.; providing for antemortem inspections; providing for certain notice; creating s. 585.77, F.S.; providing for postmortem inspections; creating s. 585.78, F.S.; providing for inspection of prepared animal products; creating s. 585.79, F.S.; providing for labeling of animal products; creating s. 585.80, F.S.; providing prohibitions on the sale and transportation of animal products; providing a penalty; creating s. 585.81, F.S.; providing for unauthorized use or counterfeiting of official marks or labels; creating s. 585.82, F.S.; providing for sale and transportation of equine products; creating s. 585.83, F.S.; providing for the duty of department to provide inspectors; providing for overtime; prohibiting gifts to depart-

ment employees; creating s. 585.84, F.S.; providing for suspension of inspection; creating s. 585.85, F.S.; prohibiting transportation of certain animals and animal products; providing a penalty; creating s. 585.86, F.S.; providing for proper storage of animal products; creating s. 585.87, F.S.; providing recordkeeping requirements; creating s. 585.88, F.S.; providing exemptions; renumbering s. 585.3401, F.S.; creating s. 585.90, F.S.; providing for investigations, stop sale orders, condemnation, and destruction of animal products; amending and renumbering s. 585.343, F.S., relating to custom slaughterers and processors; renumbering s. 585.3403, F.S.; amending s. 468.382, F.S.; correcting a reference; repealing ss. 585.25, 585.26, and 585.28, F.S., relating to cattle fever tick eradication; repealing s. 585.34, F.S., relating to meat inspection; repealing s. 585.341, F.S., relating to poultry inspection; repealing s. 585.47, F.S., relating to required reporting of animal diseases; repealing ss. 585.49 and 585.60, F.S., relating to definitions; repealing s. 585.61, F.S., relating to animal disease diagnostic laboratories; repealing s. 585.661, F.S., relating to appropriations; providing an effective date.

—was referred to the Committees on Agriculture; Finance, Taxation and Claims; and Appropriations.

By Representative Bronson—

HB 2745—A bill to be entitled An act relating to sheriffs; amending s. 30.15, F.S.; providing that attendance of sheriffs or their deputies at county commission meetings shall be at the option of the board of county commissioners rather than mandatory; amending s. 14.022, F.S., to correct a cross reference; providing an effective date.

—was referred to the Committee on Community Affairs.

By the Committees on Appropriations; and Finance and Taxation; and Representatives Thomas and Rojas—

CS for CS for HB 2917—A bill to be entitled An act relating to state budgeting; amending s. 215.20, F.S.; revising provisions relating to the service charge deducted from trust funds; amending s. 215.22, F.S.; providing for exemptions from the deduction; amending ss. 215.24, 200.132, 206.9945, 210.20, 376.3071, 455.219, and 498.019, F.S.; correcting cross references to conform; providing for legislative review; providing an effective date.

—was referred to the Committees on Finance, Taxation and Claims; and Appropriations.

By Representatives Mackey and Canady—

HJR 3091—A joint resolution proposing an amendment to Section 1 of Article VIII of the State Constitution relating to sheriffs.

—was referred to the Committees on Judiciary-Criminal; and Rules and Calendar.

By the Committees on Appropriations; Finance and Taxation; and Highway Safety and Construction; and Representative Peebles—

CS for CS for CS for HB 3181—A bill to be entitled An act relating to fees; amending s. 320.06, F.S.; increasing the fee for replacement license plates; amending s. 320.0607, F.S.; increasing the fee for replacement plates, stickers, or decals for motor vehicles and mobile homes; amending s. 320.072, F.S.; providing an impact fee upon certain motor vehicle initial applications for registration; providing exceptions; amending s. 322.17, F.S.; increasing fees with respect to duplicate and replacement license certificates; amending s. 319.324, F.S.; revising language with respect to the use of moneys in the Odometer Fraud Prevention and Detection Trust Fund; amending s. 212.0606, F.S.; imposing a surcharge on certain leased or rented motor vehicles; providing for distribution of the proceeds; creating s. 212.0607, F.S.; imposing a surcharge on cruise ship passengers; providing a definition; providing for distribution of the proceeds; providing the Department of Revenue authority to administer the surcharge; limiting local government authority to levy such fees; amending s. 212.18, F.S.; providing for increased initial and annual registration fees; amending s. 212.20, F.S.; providing for disposition of funds; amending s. 288.03, F.S.; creating the Cooperative Advertising Trust Fund; providing for administrative costs; providing for awards; amending s. 320.04, F.S.; providing for an additional registration service charge for certain automated vending facilities; providing effective dates.

—was referred to the Committee on Finance, Taxation and Claims.

By Representative Renke and others—

HCR 451—A concurrent resolution ratifying the proposed amendment to the Constitution of the United States relating to compensation of Senators and Representatives.

—was referred to the Committee on Rules and Calendar.

By Representative Morse and others—

HM 2469—A memorial to the Congress of the United States urging Congress to apply diplomatic, economic, and other measures to persuade the government of Cuba to extend basic freedoms to the people of Cuba.

—was referred to the Committee on Rules and Calendar.

By Representative Lombard—

HCR 3191—A concurrent resolution declaring the week of May 6-12, 1990, as "Florida Pet Week."

—was referred to the Committee on Rules and Calendar.

By Representative Brown—

HCR 3253—A concurrent resolution declaring the week of October 7-13, 1990, as "Mental Illness Awareness Week."

—was referred to the Committee on Rules and Calendar.

By Representative Reddick—

HCR 3369—A concurrent resolution commending Mr. James Weldon Wilson of Orlando for his contributions to the State of Florida through forty years of public service.

—was referred to the Committee on Rules and Calendar.

By Representative Hafner—

HCR 3465—A concurrent resolution recognizing that the families of children with special needs are the primary caregivers for those children and supporting the development and maintenance of parent support and advocacy groups.

—was referred to the Committee on Rules and Calendar.

The Honorable Bob Crawford, President

I am directed to inform the Senate that the House of Representatives has passed with amendments CS for SB 870 and requests the concurrence of the Senate.

John B. Phelps, Clerk

CS for SB 870—A bill to be entitled An act relating to elections; amending s. 100.371, F.S.; requiring that signatures on initiative petitions be witnessed; revising the time period for which such signatures are valid; requiring the sponsor to certify that no per-signature fee was paid; providing for severability; providing an effective date.

House Amendment 1—On page 2, line 28, strike all of said lines and insert:

Section 3. The provisions of this act shall not affect any political committee which has obtained approval of the Department of State for its petition form prior to May 1, 1990.

Section 4. This act shall take effect upon becoming a law.

House Amendment 2—On page 1, line 7, after the semicolon insert: providing a grandfather clause;

House Amendment 3—On page 1, line 9, insert:

WHEREAS, the amendment of the Constitution of the State of Florida by initiative petition is a right of the people of Florida, and

WHEREAS, insuring ballot integrity and a valid election process in regard to constitutional initiative petition campaigns is a duty and obligation of the legislative and executive branches, and

WHEREAS, prevention of fraud and misrepresentation in the collection of initiative petition signatures is crucial to insuring ballot integrity and a valid election process, and

WHEREAS, the presence of a witness who is not employed by the proponent of the amendment nor employed for the purpose of obtaining signatures at the time an initiative petition is explained to a citizen and signed by that citizen may prevent fraud or misrepresentation by the person seeking the signature of that citizen, and

WHEREAS, the payment of signature collectors who are paid based on the number of signatures they obtain tends to promote fraud and misrepresentation in the collection of initiative petition signatures, NOW, THEREFORE,

On motions by Senator Brown, the Senate concurred in the House amendments.

CS for SB 870 passed as amended and was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—37

Mr. President	Deratany	Kirkpatrick	Souto
Bankhead	Diaz-Balart	Kiser	Thomas
Beard	Dudley	Langley	Thurman
Brown	Forman	Malchon	Walker
Bruner	Gardner	Margolis	Weinstein
Casas	Girardeau	McPherson	Weinstock
Childers, D.	Gordon	Meek	Woodson-Howard
Childers, W. D.	Grant	Myers	
Crenshaw	Jennings	Peterson	
Davis	Johnson	Scott	

Nays—None

Vote after roll call:

Yea—Stuart

Nay—Plummer

Yea to Nay—Dudley, Gardner, Woodson-Howard

The Honorable Bob Crawford, President

I am directed to inform the Senate that the House of Representatives has passed SB 3106 with amendments and requests the concurrence of the Senate.

John B. Phelps, Clerk

SB 3106—A bill to be entitled An act relating to Santa Rosa Island; amending ss. 7.17, 7.55, F.S.; redefining the boundaries of Escambia and Santa Rosa Counties; providing that Navarre Beach shall be included in the boundary of Santa Rosa County; providing for Santa Rosa County to assume a portion of the liabilities of Escambia County; providing for the Santa Rosa County School District to educate certain children living in that portion of Santa Rosa Island in Escambia County; prohibiting the construction of a navigable waterway or channel on certain parts of Santa Rosa Island without approval of the county commissioners of both Escambia County and Santa Rosa County; prescribing requirements with respect to the density level on that portion of Santa Rosa Island leased by Escambia County to Santa Rosa County; providing an effective date.

House Amendment 1—On page 1, between lines 20 and 21, insert:

WHEREAS, it is an important and necessary state function to provide high-quality, reliable, and efficient governmental services to the citizens of the State of Florida, and

WHEREAS, it is the intent of the Legislature to ensure the provision of such high-quality, reliable, and efficient governmental services to the residents of that portion of Santa Rosa Island known as Navarre Beach by enacting legislation which redefines the boundaries of Escambia and Santa Rosa Counties, and

House Amendment 2—On page 2, line 9, strike everything after the enacting clause and insert:

Section 1. Section 7.17, Florida Statutes, is amended to read:

7.17 Escambia County.—The County of Escambia comprehends all that part of the State of Florida lying to the west and south of a line beginning at the Alabama line where said line crosses the Escambia River; running thence down the thread of said river to Escambia Bay; thence along said bay to Deer Point, at the intersection of Santa Rosa

Sound with said bay; thence up said Santa Rosa Sound to a line parallel to and exactly 1 mile 3 miles west of the range line dividing ranges twenty-six twenty-five and twenty-seven twenty-six west, thence south along such parallel line to the waters of the Gulf of Mexico; ~~excluding only that area of Santa Rosa Island and Santa Rosa Sound comprising right of way of a bridge from the mainland of Santa Rosa County near Navarre to Santa Rosa Island, said right of way being 200 feet wide plus such additional width as may be required for fills and other construction, and a road right of way on Santa Rosa Island 120 feet wide, running from the west line of section twenty-seven in township two south, range twenty-six west, westerly to the west line of section thirty-six in township two south, range twenty-seven west on said island, including the waters of said gulf within the jurisdiction of the State of Florida which lie west of the parallel line 3 miles west of the range line between ranges twenty-five and twenty-six west; and the Counties of Escambia and Santa Rosa shall have concurrent jurisdiction of any offenses committed on over the waters of Santa Rosa Sound and the area on Santa Rosa Island comprising the right of way of the bridge and road heretofore described.~~

Section 2. Section 7.55, Florida Statutes, is amended to read:

7.55 Santa Rosa County.—The boundary lines of Santa Rosa County are as follows: Beginning at the Alabama line, where said line crosses the Escambia River; thence down the thread of said river to Escambia Bay; thence along said bay to Deer Point, at the intersection of Santa Rosa Sound with said bay; thence up said Santa Rosa Sound to a line parallel to and exactly 1 mile westerly of the line dividing range twenty-six west and range twenty-seven west; thence southerly along said line to the waters of the Gulf of Mexico; thence easterly along the waters of the Gulf of Mexico to a point of intersection with the range line dividing range twenty-five west and range twenty-six west; thence northerly along said range line to the dividing line between the State of Florida and the State of Alabama, thence westerly along said dividing line to the point of beginning; ~~where the line dividing ranges twenty-five and twenty-six west, strikes said sound; thence running up said line to the dividing line between the State of Florida and the State of Alabama; thence with said line westwardly to the point of beginning; provided that the Counties of Escambia, Santa Rosa, and Okaloosa shall have concurrent jurisdiction of any offenses committed on the waters of Santa Rosa Sound.~~

~~That part of Santa Rosa Island and Santa Rosa Sound comprising a right of way of a bridge from the mainland of Santa Rosa County near Navarre to Santa Rosa Island said right of way being two hundred feet wide plus such additional width as may be required for fills and other construction and a road right of way on Santa Rosa Island one hundred twenty feet wide running from the west line of section twenty-seven in township two south, range twenty-six west, westerly to the west line of section thirty-six, township two south, range twenty-seven west on the island, and that part of Santa Rosa Island lying between a line dividing ranges twenty-five and twenty-six west and a parallel line exactly three miles west of such range line, together with adjacent waters, is hereby included in Santa Rosa County; provided that Santa Rosa and Escambia Counties shall have concurrent jurisdiction of offenses committed in that area of the island comprising the road right of way.~~

Section 3. Santa Rosa County shall be liable for such proportion of the liabilities of Escambia County existing on the effective date of sections 1 and 2 of this act as is required by Section 1 of Article VIII of the State Constitution. The total amount of public debt of Escambia County assumed by Santa Rosa County shall be limited to and satisfied by the continued imposition of the tourist development tax enacted and imposed by Escambia County pursuant to s. 125.0104, Florida Statutes, within the boundaries of Escambia County as such existed prior to the effective date of this act, to the extent required to satisfy the existing bond obligations of Escambia County secured by such tax on the effective date of this act.

Section 4. The Santa Rosa County School District shall provide education at public middle schools and high schools for all middle and high school students who live on Santa Rosa Island within Escambia County and who elect to attend school in Santa Rosa County. The Escambia County School District shall continue to provide education for all students who live on Santa Rosa Island within Escambia County and who elect to attend school in Escambia County.

Section 5. A navigable waterway or channel may not be constructed on any part of Santa Rosa Island that is leased to Santa Rosa County by Escambia County or made a part of Santa Rosa County by this act unless

it is specifically approved by resolution of the Board of County Commissioners of Escambia County and by resolution of the Board of County Commissioners of Santa Rosa County.

Section 6. The overall density level on that portion of Santa Rosa Island leased to Santa Rosa County by Escambia County may not exceed the overall density level established on that portion of Santa Rosa Island owned by Escambia County and not leased to Santa Rosa County and must be consistent with the Santa Rosa County local comprehensive plan approved by the Department of Community Affairs.

Section 7. If any provision of this act or the application thereof to any person or circumstance is held invalid by a court of competent jurisdiction, the invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared severable.

Section 8. The current coastal construction line for that portion of Santa Rosa Island leased to Santa Rosa County shall remain unaffected by this act and shall remain in full force and effect.

Section 9. All current licenses issued by the State for establishments located on that portion of Santa Rosa Island leased to Santa Rosa County shall remain unaffected by this act and shall remain in full force and effect.

Section 10. This act shall take effect upon becoming a law.

House Amendment 3—On page 1, line 19, after the semicolon insert: providing a severability section; providing the current coastal construction line on that portion of Santa Rosa Island leased to Santa Rosa County remains in full force and effect; providing all current licenses issued by the state for establishments located on that portion of Santa Rosa Island leased to Santa Rosa County shall remain in full force and effect;

On motions by Senator W. D. Childers, the Senate concurred in the House amendments.

SB 3106 passed as amended and was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—38

Mr. President	Deratany	Kirkpatrick	Souto
Bankhead	Diaz-Balart	Kiser	Stuart
Beard	Dudley	Langley	Thomas
Brown	Forman	Malchon	Thurman
Bruner	Gardner	Margolis	Walker
Casas	Girardeau	McPherson	Weinstein
Childers, D.	Gordon	Meek	Weinstock
Childers, W. D.	Grant	Myers	Woodson-Howard
Crenshaw	Jennings	Peterson	
Davis	Johnson	Scott	

Nays—None

The Honorable Bob Crawford, President

I am directed to inform the Senate that the House of Representatives has refused to concur in Senate Amendments 1 and 2 to HB 3701 and requests the Senate to recede.

John B. Phelps, Clerk

HB 3701—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 1990, and ending June 30, 1991, to pay salaries, other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of state government; providing an effective date.

On motions by Senator Margolis, the Senate refused to recede from Senate Amendments 1 and 2. The action of the Senate was certified to the House.

The President announced that the conference committee had been previously appointed.

The Honorable Bob Crawford, President

I am directed to inform the Senate that the House of Representatives has refused to concur in Senate Amendments 1 and 2 to HB 3703 and requests the Senate to recede.

John B. Phelps, Clerk

HB 3703—A bill to be entitled An act relating to implementing the fiscal year 1990-1991 General Appropriations Act; providing legislative intent; authorizing the Division of Information Services of the Department of General Services to acquire materials and equipment to continue implementation of an Information System Utility Data Center; providing the Attorney General with certain oversight responsibility relating to Department of Health and Rehabilitative Services compliance with a Florida Supreme Court decision; requiring a report; providing access to certain confidential information; requiring that certain attorneys provide legal representation in certain proceedings relating to juveniles; prohibiting the Department of Health and Rehabilitative Services from contracting for legal representation for such proceedings without prior approval from the Attorney General; directing the Department of Health and Rehabilitative Services to distribute moneys appropriated from the Public Medical Assistance Trust Fund to certain hospitals; requiring the Department of Health and Rehabilitative Services to expand eligibility for payment for certain Medicaid services provided to children; providing for transfer of funds from the Emergency Medical Services Trust Fund to the General Revenue Fund; authorizing an appropriation from said trust fund to fund trauma-related projects; requiring the Capital Collateral Representative to seek certain compensation and reimbursement for representing indigent persons in the federal courts; providing for transfer of funds from the Insurance Commissioner's Regulatory Trust Fund to the General Revenue Fund; authorizing the Department of Highway Safety and Motor Vehicles to expend certain funds for operation of the Emissions Control Program and continuation of a fund shift to fund a revenue shortfall; authorizing the Department of Highway Safety and Motor Vehicles to expend certain funds to construct a building for the Kirkman Data Center; providing for continuation of certain vacant positions in the Department of Transportation; requiring the Department of Transportation to submit a manpower utilization report to the Executive Office of the Governor; providing responsibility of the Fort Myers Urban Office of the Department of Transportation for transportation planning and policy for specified counties; directing the Department of Natural Resources to develop a beach management plan with specified positions and funds; requiring a report; providing that the Division of Bond Finance of the Department of General Services shall not issue state bonds for right-of-way land acquisition and bridge construction during fiscal year 1990-1991; providing that certain funds appropriated for the Miami Bridge Runaway Shelter shall not revert until a specified date; authorizing the Board of Regents to construct and/or refinance housing projects at Florida State University, Florida A & M University, Florida Atlantic University, the University of Central Florida, and Florida International University, which may be financed or partially financed from revenue bonds; providing that certain funds appropriated for the Solar Energy Center of the University of Central Florida shall not revert until a specified date; revising an appropriation for the University Center Expansion of Florida Atlantic University; providing an additional project thereunder; modifying the title of a project relating to dormitory asbestos at Florida State University; providing that certain funds appropriated for a library renovation project at the University of Florida shall not revert until a specified date; authorizing Valencia Community College to use non-PECO funds to acquire property; authorizing the issuance of bonds, the proceeds of which shall be deposited into the Florida Preservation 2000 Trust Fund; directs the Department of Revenue to report on the taxation of transactions on the Miccosukee Reservation; requires the Department of Revenue to cease enforcement actions against the Miccosukee tribe; allowing Orlando-Orange County Expressway Authority to proceed with a construction project financed by revenue bonds of the authority; allowing Seminole County Expressway Authority to proceed with a construction project financed by revenue bonds of the authority; providing a retroactive effective date and an expiration date.

On motions by Senator Margolis, the Senate refused to recede from Senate Amendments 1 and 2. The action of the Senate was certified to the House.

The President announced that the conference committee had been previously appointed.

The Honorable Bob Crawford, President

I am directed to inform the Senate that the House of Representatives has passed SB 712, CS for SB 1082, CS for SB 1292, SB 1582, SB 1756, SB 2068 and SB 3076.

John B. Phelps, Clerk

The bills contained in the foregoing message were ordered enrolled.

SPECIAL ORDER

CS for SB 1358—A bill to be entitled An act relating to forestry; authorizing the Division of Forestry of the Department of Agriculture and Consumer Services to administer tree planting programs; creating a trust fund to accept donations and grants from federal, state, and private sources; providing for administration of the fund and for disbursements therefrom; providing an effective date.

—was read the second time by title.

Senator Souto moved the following amendments which were adopted:

Amendment 1—On page 2, between lines 24 and 25, insert:

(6) The Division of Forestry shall extend the native tree species planting program to provide native vegetation to Czechoslovakia, Bulgaria, Romania, Poland, Hungary, East Germany, Nicaragua, and any other country which changes from a totalitarian form of government to a democracy as a gesture of goodwill and solidarity and in order to promote commerce between this state and the above mentioned foreign countries.

Amendment 2—In title, on page 1, line 9, after the semicolon (;) insert: providing for the planting of native trees in certain foreign countries;

On motion by Senator Myers, by two-thirds vote CS for SB 1358 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36

Mr. President	Deratany	Johnson	Scott
Bankhead	Diaz-Balart	Kirkpatrick	Souto
Beard	Dudley	Kiser	Stuart
Brown	Forman	Malchon	Thomas
Bruner	Gardner	Margolis	Thurman
Casas	Girardeau	McPherson	Walker
Childers, D.	Gordon	Meek	Weinstein
Crenshaw	Grant	Myers	Weinstock
Davis	Jennings	Peterson	Woodson-Howard

Nays—None

On motion by Senator Myers, the rules were waived and **CS for SB 1358** was ordered immediately certified to the House.

SB 3052—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.091, F.S.; providing the administrator with standards of proof for disability retirement; amending s. 121.23, F.S.; limiting the review powers of the State Retirement Commission, requiring submission of medical evidence, providing a 21-day period for requesting a hearing; amending s. 121.35, F.S.; eliminating position eligibility appeals to the State Retirement Commission; providing an effective date.

—was read the second time by title. On motion by Senator Bruner, by two-thirds vote SB 3052 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Deratany	Johnson	Souto
Bankhead	Diaz-Balart	Kirkpatrick	Stuart
Beard	Dudley	Kiser	Thomas
Brown	Forman	Malchon	Thurman
Bruner	Gardner	Margolis	Walker
Casas	Girardeau	McPherson	Weinstein
Childers, D.	Gordon	Meek	Weinstock
Crenshaw	Grant	Myers	Woodson-Howard
Davis	Jennings	Peterson	

Nays—None

On motion by Senator Bruner, the rules were waived and **SB 3052** was ordered immediately certified to the House.

CS for SB 1206—A bill to be entitled An act relating to procurement; revising part I of ch. 287, F.S., relating to commodities, insurance, and contractual services; amending s. 287.001, F.S.; providing legislative intent; amending s. 287.012, F.S.; providing definitions; amending s. 287.022, F.S.; providing for the purchase of insurance by state agencies in specified circumstances; amending s. 287.042, F.S.; specifying powers,

duties, and functions of the Division of Purchasing of the Department of General Services; providing for acceptance of a cashier's check or money order in lieu of certain bonds; providing circumstances for waiver of certain notice requirements; authorizing the division to delegate specified powers and duties to other agencies; removing a limitation on the authority of the Comptroller; providing for award of contracts on a statewide or regional basis; amending s. 287.045, F.S.; providing for procurement of products or materials with a recycled content below the minimum in certain circumstances; amending s. 287.057, F.S.; revising procedures for the procurement of commodities and contractual services; providing circumstances and procedures for the procurement of commodities and contractual services without competitive bids; revising provisions on renewal of contracts; amending s. 287.058, F.S.; authorizing use of a purchase order for certain classes of contractual services; providing for certification of noncompliance with emergency procurement requirements; correcting a cross-reference; amending s. 287.059, F.S.; excluding certain services from provisions relating to procurement of private legal services; amending s. 287.064, F.S.; specifying functions of the Division of Bond Finance of the Department of General Services; amending s. 287.073, F.S.; correcting cross-references; amending s. 287.0943, F.S.; revising provisions relating to a minority vendors list; amending ss. 265.26, 321.02, 337.02, 381.715, F.S.; correcting cross-references; reenacting ss. 112.3185(1)(a), 216.031(8), 240.225, 240.551(5)(i) and (8), 283.422, 287.055(3)(d), 287.0735, 287.0945(3)(a), 287.0947(2), 403.7065(1), 410.402(2) and (3), 550.012(4), 944.105(6), 945.091(1)(c), F.S., relating to various aspects of the procurement process by various agencies, to incorporate the amendments to part I of ch. 287, F.S., in references thereto; saving s. 287.073, F.S., from Sun-down repeal; saving s. 287.102, F.S., from scheduled repeal; repealing ss. 287.052, 287.062, 287.072, 287.115, F.S., relating to procurement of commodities, competitive bidding, and delegation of authority to purchase; amending s. 282.1095, F.S.; providing for exemption from permitting requirements and proceedings; providing an effective date.

—was read the second time by title.

Senator Kirkpatrick moved the following amendments which were adopted:

Amendment 1—On page 11, line 10, after the period (.) insert: *By March 1, 1991, the division shall negotiate and execute purchasing agreements and contracts for notepads and other commonly used office paper products made from recycled paper. Such contracts and agreements shall be designed to insure large volume purchases by state agencies and, if necessary, guarantee a minimum sales amount by state agencies for the vendor selected so that the most favorable prices can be obtained for recycled products.*

Amendment 2—On page 17, lines 18-30, and on page 18, lines 1 and 2, strike all of said lines and insert: *recycled or degradable content.*—

(5) Upon evaluation of bids for every public contract that involves the purchase of products or materials identified in subsection (3), the division or an agency shall identify the lowest responsive bidder and other responsive bidders who have certified that the products or materials contain at least the minimum percentage of recycled content or degradable material content as defined by the Department of Environmental Regulation that is set forth in the invitation for the bids. In awarding a contract for the purchase of products or materials, the division or an agency may allow up to a 10 percent price preference to a responsive bidder who has certified that the products or materials contain at least the minimum percentage of recycled content or degradable material content as defined by the Department of Environmental Regulation. Degradable materials shall be used where economically and technically feasible, particularly in situations where materials are likely to become litter, such as in food services provided by state agencies. If no bidders offer products or materials with the minimum prescribed recycled or degradable content, the contract shall be awarded to the lowest qualified responsive bidder.

Amendment 3—In title, on page 1, line 23, after "recycled" insert: *or degradable*

On motion by Senator Kiser, by two-thirds vote CS for SB 1206 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36

Mr. President	Deratany	Johnson	Plummer
Bankhead	Diaz-Balart	Kirkpatrick	Souto
Beard	Dudley	Kiser	Stuart
Brown	Forman	Malchon	Thomas
Bruner	Gardner	Margolis	Thurman
Casas	Girardeau	McPherson	Walker
Childers, D.	Gordon	Meek	Weinstein
Crenshaw	Grant	Myers	Weinstock
Davis	Jennings	Peterson	Woodson-Howard

Nays—None

On motions by Senator Gardner, by two-thirds vote CS for HB 281 was withdrawn from the Committees on Education and Appropriations.

On motions by Senator Gardner—

CS for HB 281—A bill to be entitled An act relating to education; amending s. 228.041, F.S.; authorizing a decrease in the minimum number of days of instruction under certain circumstances; providing an effective date.

—a companion measure, was substituted for CS for SB 774 and read the second time by title. On motion by Senator Gardner, by two-thirds vote CS for HB 281 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Diaz-Balart	Kirkpatrick	Stuart
Bankhead	Dudley	Kiser	Thomas
Beard	Forman	Malchon	Thurman
Brown	Gardner	Margolis	Walker
Bruner	Girardeau	McPherson	Weinstein
Casas	Gordon	Meek	Weinstock
Childers, D.	Grant	Myers	Woodson-Howard
Crenshaw	Grizzle	Peterson	
Davis	Jennings	Plummer	
Deratany	Johnson	Souto	

Nays—None

On motion by Senator Gardner, the rules were waived and **CS for HB 281** was ordered immediately certified to the House.

On motion by Senator Margolis, by two-thirds vote HB 2933 was withdrawn from the Committee on Higher Education.

On motion by Senator Margolis—

HB 2933—A bill to be entitled An act relating to the naming of a building; naming a building at Florida International University as the Ruth and Arnold Picker Center; providing an effective date.

—a companion measure, was substituted for SB 1610 and read the second time by title. On motion by Senator Margolis, by two-thirds vote HB 2933 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Diaz-Balart	Kiser	Stuart
Bankhead	Dudley	Langley	Thomas
Beard	Forman	Malchon	Thurman
Brown	Gardner	Margolis	Walker
Bruner	Girardeau	McPherson	Weinstein
Casas	Gordon	Meek	Weinstock
Childers, D.	Grant	Myers	Woodson-Howard
Crenshaw	Jennings	Peterson	
Davis	Johnson	Plummer	
Deratany	Kirkpatrick	Souto	

Nays—None

CS for SB 2398—A bill to be entitled An act relating to telecommunications; amending s. 364.01, F.S.; providing legislative intent; amending s. 364.02, F.S.; defining the terms "telecommunications company" and "telecommunications facility"; deleting definitions of the terms "telephone company" and "telephone line"; adding a definition of "monopoly service"; amending s. 364.03, F.S.; conforming terminology; amending s. 364.035, F.S.; requiring telecommunications companies to periodically

file certain information with the Florida Public Service Commission; creating s. 364.036, F.S.; providing for alternative regulation of certain local exchange telecommunications companies; amending s. 364.037, F.S.; conforming terminology; amending s. 364.04, F.S.; revising provisions requiring telecommunications companies to file rates and charges with the commission and keep schedules of such rates and charges for public inspection; amending s. 364.05, F.S.; providing the opportunity for a hearing for a change in rates; providing an exception; amending s. 364.055, F.S.; conforming terminology; amending s. 364.057, F.S.; revising procedures for approval of experimental rates; creating s. 364.058, F.S.; authorizing the commission to conduct limited proceedings; amending s. 364.063, F.S.; revising provisions relating to the issuance of rate adjustment orders by the commission; amending ss. 364.06, 364.07, 364.08, 364.09, 364.10, 364.14, 364.15, 364.16, 364.17, F.S.; deleting obsolete provisions; conforming terminology; amending s. 364.18, F.S.; authorizing the commission to require telecommunications companies to file reports relating to transactions with affiliated companies; amending s. 364.183, F.S.; providing for the commission to have access to certain records; exempting certain confidential business information from public disclosure laws; providing for protection from such disclosure for a specified period of time; authorizing the commission to extend the period of time such information is confidential; providing that such exemptions from public disclosure laws are not subject to review under the Open Government Sunset Review Act; amending ss. 364.185, 364.19, 364.24, 364.27, F.S.; conforming terminology; amending s. 364.285, F.S.; providing for injunctive relief; amending s. 364.30, F.S.; deleting certain penalties; amending ss. 364.32, 364.33, 364.335, F.S.; conforming terminology; clarifying requirements for obtaining a certification of necessity to construct or operate telecommunications facilities; providing a maximum application fee for such certificate; revising provisions authorizing proceedings under ch. 120, F.S., relating to the granting of such certificates; deleting provisions authorizing the commission to grant certificates for certain radio telephone services; creating s. 364.336, F.S.; providing for regulatory assessment fees; amending s. 364.337, F.S.; authorizing the commission to regulate intrastate alternative operator services and alternative access vendor services; creating s. 364.338, F.S.; authorizing the commission to exempt certain local exchange telecommunications companies from certain requirements; amending s. 364.339, F.S.; revising provisions relating to the regulation of shared tenant services; amending ss. 364.345, 364.37, 364.381, F.S.; conforming terminology; providing that, for purposes of review by the Supreme Court of actions by the commission, a telecommunications company is a telephone company within the meaning of the State Constitution; amending s. 364.385, F.S.; providing that rates and certificates in effect on the effective date of the act are not invalidated by the act; repealing s. 364.11, F.S., relating to the transmission of long distance messages; repealing s. 364.31, F.S., relating to the reporting of violations of bookmaking or other gambling laws; repealing s. 7, ch. 89-163, Laws of Florida; abrogating the repeal of provisions of ch. 364, F.S., scheduled pursuant to the Regulatory Sunset Act; providing for future legislative review and repeal of such provisions; providing an effective date.

—was read the second time by title.

On motion by Senator Davis, the rules were waived to allow the following amendment to be considered:

Senator Davis moved the following amendment:

Amendment 1—On page 10, lines 4-30; on page 11, lines 1-31; and on page 12, lines 1-24, strike all of said lines and insert:

Section 5. Section 364.036, Florida Statutes, is created to read:

364.036 Local Exchange Telecommunications Company Operating Efficiency and Incentive Criterion.—

(1) *It is the legislative intent that the commission shall continue to serve its historical role as a surrogate for competition for monopoly services provided by local exchange telecommunications companies.*

(2) *In recognition of the fact that most monopoly telecommunications services are comparable and in an attempt to encourage increased efficiencies in common areas of operations amongst local exchange telecommunications companies, the commission shall:*

(a) *Beginning June 1, 1991, annually publish, by order, the operating statistics for the previous calendar year of all local exchange telecommunications companies in a manner that comparatively displays all major operating expense accounts from the Uniform System of*

Accounts. At a minimum, the comparisons shall reflect per access line expenditures per account in a manner that reflects each company's costs of providing regulated local exchange telecommunications services. The commission shall conduct rulemaking hearings to establish the methodology for depicting the annual comparisons.

(b) *When determining a local exchange telecommunications company's cost of equity for determining its required revenues in a rate proceeding, the commission shall be authorized to either reward or penalize a local exchange telecommunications company up to 100 basis points for exemplary efficiency or for substandard performance in its operations. Whether or not it rewards or penalizes any such companies, the commission shall conduct rulemaking proceedings to establish uniform procedures for granting rewards and imposing penalties and shall specifically address a local exchange telecommunications company's annual operating statistics relative to other local exchange telecommunications companies in every formal review of that company's earnings.*

(3) *By May 1, 1991, by rule, establish a methodology for determining a benchmark rate of return on equity for each local exchange telecommunications company. For purposes of this section, "benchmark rate of return on equity" shall mean the current return on equity the commission estimates as fair and reasonable for each local exchange telecommunications company if that company were currently in a rate case. The commission shall, beginning January 1, 1991, annually publish, by order, the benchmark rate of return on equity for all local exchange telecommunications companies, along with the midpoint of the range of return on equity authorized by the commission in each company's last rate case and the return on equity earned by each local exchange telecommunications company for the prior calendar year. Additionally, the commission shall publish each local exchange telecommunications company's current cost of debt and overall cost of capital.*

Senator Gordon moved the following substitute amendment which failed:

Amendment 2—On page 10, line 29, strike "The" and after "Section." insert: Subject to legislative approval, the

Amendment 1 failed. The vote was:

Yeas—10

Childers, D.	Girardeau	Meek	Weinstock
Davis	Gordon	Stuart	
Forman	Malchon	Weinstein	

Nays—23

Mr. President	Crenshaw	Johnson	Scott
Bankhead	Deratany	Kiser	Souto
Beard	Dudley	Langley	Thurman
Brown	Gardner	Margolis	Walker
Bruner	Grant	McPherson	Woodson-Howard
Casas	Jennings	Myers	

On motion by Senator Jennings, by two-thirds vote CS for SB 2398 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Dudley	Kiser	Scott
Bankhead	Forman	Langley	Souto
Beard	Gardner	Malchon	Stuart
Brown	Girardeau	Margolis	Thomas
Bruner	Gordon	McPherson	Thurman
Casas	Grant	Meek	Walker
Childers, D.	Jennings	Myers	Weinstein
Crenshaw	Johnson	Peterson	Weinstock
Deratany	Kirkpatrick	Plummer	Woodson-Howard

Nays—1

Davis

Vote after roll call:

Yea—Diaz-Balart

Yea to Nay—Gordon

CS for SB 662—A bill to be entitled An act relating to limitations of actions; amending s. 95.051, F.S.; providing that the running of time under certain statutes of limitations is tolled by the minority or incapacity of the person entitled to sue under certain circumstances; providing an exception; reenacting ss. 95.031, 684.24(3)(a), F.S., relating to computation of time and court proceedings upon final awards, to incorporate said amendment in references thereto; providing an effective date.

—was read the second time by title.

Senator Dudley moved the following amendment which was adopted:

Amendment 1—On page 2, strike all of lines 8-13 and insert a new section (h):

(h) *The minority or previously adjudicated incapacity of the person entitled to sue during any period of time in which a parent, guardian, or guardian ad litem does not exist, has an interest adverse to the minor or incapacitated person, or is adjudicated to be incapacitated to sue; except with respect to the statute of limitations for a claim for medical malpractice as provided in s. 95.11. In any event, the action must be begun within 7 years after the act, event, or occurrence giving rise to the cause of action.*

On motion by Senator Davis, by two-thirds vote CS for SB 662 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37

Mr. President	Diaz-Balart	Kiser	Stuart
Bankhead	Dudley	Langley	Thomas
Beard	Forman	Malchon	Thurman
Brown	Gardner	Margolis	Walker
Bruner	Girardeau	McPherson	Weinstein
Casas	Gordon	Meek	Weinstock
Childers, D.	Grant	Myers	Woodson-Howard
Crenshaw	Jennings	Peterson	
Davis	Johnson	Plummer	
Deratany	Kirkpatrick	Souto	

Nays—None

On motions by Senator Plummer, by two-thirds vote HB 287 was withdrawn from the Committees on Governmental Operations; Personnel, Retirement and Collective Bargaining; and Appropriations.

On motion by Senator Plummer—

HB 287—A bill to be entitled An act relating to legal holidays; amending s. 683.01, F.S.; designating June 14, Flag Day, as a legal holiday; providing an effective date.

—a companion measure, was substituted for SB 1346 and read the second time by title. On motion by Senator Plummer, by two-thirds vote HB 287 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Diaz-Balart	Kirkpatrick	Plummer
Beard	Dudley	Kiser	Souto
Brown	Forman	Langley	Stuart
Bruner	Gardner	Malchon	Thomas
Casas	Girardeau	Margolis	Thurman
Childers, D.	Gordon	McPherson	Weinstock
Crenshaw	Grant	Meek	Woodson-Howard
Davis	Jennings	Myers	
Deratany	Johnson	Peterson	

Nays—None

CS for SB 1332—A bill to be entitled An act relating to road rights-of-way; amending s. 337.406, F.S.; prohibiting the use of the rights-of-way of state transportation facilities; specifying certain activities which are prohibited; authorizing incorporated municipalities to issue permits for the temporary use of rights-of-way under certain circumstances; providing an effective date.

—was read the second time by title. On motion by Senator Beard, by two-thirds vote CS for SB 1332 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Diaz-Balart	Kirkpatrick	Plummer
Beard	Dudley	Kiser	Souto
Brown	Forman	Langley	Stuart
Bruner	Gardner	Malchon	Thomas
Casas	Girardeau	Margolis	Thurman
Childers, D.	Gordon	McPherson	Walker
Crenshaw	Grant	Meek	Weinstein
Davis	Jennings	Myers	Weinstock
Deratany	Johnson	Peterson	Woodson-Howard

Nays—None

CS for SB 982—A bill to be entitled An act relating to children and families in need of services; amending s. 39.001, F.S.; providing that the Department of Health and Rehabilitative Services may contract for programs for children, youths, and their families; providing standards which must be met by caregivers; amending s. 39.01, F.S.; redefining the terms “authorized agent of the department,” “child in need of services,” and “family in need of services”; amending s. 39.422, F.S.; clarifying types of shelters for placement of children; amending s. 39.424, F.S.; removing voluntary services and protective supervision services to families in need of services; amending s. 39.432, F.S.; excluding certain days from the time-frame for notification of patients and allowing discretion in filing a petition for a child in need of services; amending s. 39.434, F.S.; requiring the department to advise the parents or legal custodians in a family in need of services of their duty to pay costs of family arbitration and directing the department to set and charge fees therefor; amending s. 39.443, F.S.; providing for maintenance of records by courts and for their confidentiality; amending s. 827.04, F.S.; redefining the offense of child abuse to include causing or tending to cause a child to become a child in need of services; providing a penalty; providing an effective date.

—was read the second time by title. On motion by Senator Weinstock, by two-thirds vote CS for SB 982 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Dudley	Langley	Stuart
Beard	Forman	Malchon	Thomas
Brown	Gardner	Margolis	Thurman
Bruner	Girardeau	McPherson	Walker
Casas	Gordon	Meek	Weinstein
Childers, D.	Grant	Myers	Weinstock
Crenshaw	Jennings	Peterson	Woodson-Howard
Davis	Johnson	Plummer	
Deratany	Kirkpatrick	Scott	
Diaz-Balart	Kiser	Souto	

Nays—None

CS for SB 1080—A bill to be entitled An act relating to easements; amending s. 704.01, F.S.; revising criteria for determining when a statutory way of necessity exists; providing that such an easement may run under the servient tenement; amending s. 704.04, F.S.; deleting a provision providing that a statutory way of necessity awarded by court order is temporary; providing for judicial determination of attorney's fees and costs; deleting a provision permitting either party to request a jury trial to determine compensation; providing an effective date.

—was read the second time by title.

Senator Bruner moved the following amendment which was adopted:

Amendment 1—On page 2, strike line 3 and insert: *cable television, electricity, and telephone service, over, under, and upon the*

On motion by Senator Dudley, by two-thirds vote CS for SB 1080 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36

Mr. President	Casas	Diaz-Balart	Gordon
Bankhead	Childers, D.	Dudley	Grant
Beard	Crenshaw	Forman	Jennings
Brown	Davis	Gardner	Johnson
Bruner	Deratany	Girardeau	Kirkpatrick

Langley	Meek	Souto	Walker
Malchon	Myers	Stuart	Weinstein
Margolis	Peterson	Thomas	Weinstock
McPherson	Plummer	Thurman	Woodson-Howard

Nays—None

CS for SB 272—A bill to be entitled An act relating to disposition of unclaimed property; creating s. 717.1035, F.S.; providing criteria for the presumption of abandonment for certain intangible property; amending s. 717.106, F.S.; providing for notice to beneficiaries under certain conditions; amending s. 717.122, F.S.; allowing the department to sell securities without incurring liability to the owner; amending s. 717.124, F.S.; deleting the reference to the department's liability for the sale of securities; providing an effective date.

—was read the second time by title. On motion by Senator Forman, by two-thirds vote CS for SB 272 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Deratany	Johnson	Peterson
Bankhead	Diaz-Balart	Kirkpatrick	Souto
Beard	Dudley	Kiser	Stuart
Brown	Forman	Langley	Thomas
Bruner	Gardner	Malchon	Thurman
Casas	Girardeau	Margolis	Walker
Childers, D.	Gordon	McPherson	Weinstein
Crenshaw	Grant	Meek	Weinstock
Davis	Jennings	Myers	Woodson-Howard

Nays—None

On motion by Senator Forman, the rules were waived and **CS for SB 272** was ordered immediately certified to the House.

CS for SB 1116—A bill to be entitled An act relating to drivers' licenses; amending s. 322.61, F.S.; providing for disqualification from operating a commercial motor vehicle upon conviction of certain traffic offenses; amending s. 322.64, F.S.; providing for disqualification from operating a commercial motor vehicle for a person who operates a commercial motor vehicle with an unlawful blood alcohol level or refuses to submit to a test for alcohol or drugs; requiring notice; providing for formal and informal review of the suspension; providing an exemption from the Administrative Procedure Act; providing for inadmissibility of certain evidence; amending s. 322.2615, F.S.; providing for administrative suspension after receiving results of a blood test; providing effective dates.

—was read the second time by title. On motion by Senator Langley, by two-thirds vote CS for SB 1116 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Diaz-Balart	Kirkpatrick	Stuart
Bankhead	Dudley	Kiser	Thomas
Beard	Forman	Langley	Thurman
Brown	Gardner	Malchon	Walker
Bruner	Girardeau	McPherson	Weinstein
Casas	Gordon	Meek	Weinstock
Childers, D.	Grant	Myers	Woodson-Howard
Crenshaw	Jennings	Peterson	
Deratany	Johnson	Souto	

Nays—None

Vote after roll call:

Yea—Davis

On motions by Senator Brown, by two-thirds vote—

HB 2159—A bill to be entitled An act relating to traffic control; amending s. 27.3455, F.S.; providing for additional court costs in certain traffic cases; amending s. 318.141, F.S.; authorizing sheriffs' departments and police departments to employ specially trained auxiliary officers for the limited purpose of directing traffic and operating fixed traffic control devices; empowering the Division of Criminal Justice Standards and Training of the Department of Law Enforcement to set minimum standards for instruction and authorizing local training; providing an effective date.

—a companion measure, was substituted for CS for SB 610 and by two-thirds vote read the second time by title. On motion by Senator Brown, by two-thirds vote HB 2159 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Deratany	Johnson	Peterson
Bankhead	Diaz-Balart	Kirkpatrick	Souto
Beard	Dudley	Kiser	Stuart
Brown	Forman	Langley	Thomas
Bruner	Gardner	Malchon	Thurman
Casas	Girardeau	Margolis	Walker
Childers, D.	Gordon	McPherson	Weinstein
Crenshaw	Grant	Meek	Weinstock
Davis	Jennings	Myers	Woodson-Howard

Nays—None

CS for SB 1788—A bill to be entitled An act relating to appeals; amending s. 924.07, F.S.; providing that the state may appeal from an order dismissing an affidavit charging the commission of a criminal offense, the violation of probation, the violation of community control, or the violation of any supervised correctional release; amending s. 924.071, F.S., relating to grounds for appeal by the state; deleting a restriction limiting the state's right of appeal based on the type of evidence suppressed by a pretrial order and authorizing appeal from a pretrial order which conflicts with an appellate or supreme court decision; creating s. 924.345, F.S., relating to standard of review on appeal in criminal cases relating to sufficiency of evidence to sustain the verdict; providing an effective date.

—was read the second time by title. On motion by Senator Johnson, by two-thirds vote CS for SB 1788 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Deratany	Kirkpatrick	Souto
Bankhead	Dudley	Kiser	Stuart
Beard	Forman	Malchon	Thomas
Brown	Gardner	Margolis	Thurman
Bruner	Girardeau	McPherson	Walker
Casas	Gordon	Meek	Weinstein
Childers, D.	Grant	Myers	Weinstock
Crenshaw	Jennings	Peterson	Woodson-Howard
Davis	Johnson	Scott	

Nays—None

CS for SB 1592—A bill to be entitled An act relating to postsecondary education; amending s. 240.604, F.S., relating to the public school work experience program; revising provisions relating to employment; providing for additional expenditure of funds; revising provisions relating to responsibility for payment of wages; providing for advertising; providing an effective date.

—was read the second time by title. On motion by Senator Walker, by two-thirds vote CS for SB 1592 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz-Balart	Kiser	Souto
Bankhead	Dudley	Langley	Stuart
Beard	Forman	Malchon	Thomas
Brown	Gardner	Margolis	Thurman
Bruner	Girardeau	McPherson	Walker
Casas	Gordon	Meek	Weinstein
Childers, D.	Grant	Myers	Weinstock
Crenshaw	Jennings	Peterson	Woodson-Howard
Davis	Johnson	Plummer	
Deratany	Kirkpatrick	Scott	

Nays—None

Senator Langley presiding

CS for SB 248—A bill to be entitled An act relating to the Florida Consumer Finance Act; amending s. 516.01, F.S.; redefining the term "consumer finance loan" to increase the amount of money which the term encompasses; amending s. 516.02, F.S.; increasing the amount of money for which a limitation on interest applies with respect to certain loans and

lines of credit; amending s. 516.031, F.S.; revising language with respect to the maximum rates allowable for certain finance rates; eliminating an interest rate limitation on certain amounts; revising language with respect to certain other charges; amending s. 516.07, F.S.; providing an additional ground for denial of license or disciplinary action; amending s. 559.10, F.S.; redefining the term "budget planning" to eliminate certain activity; authorizing the Department of Banking and Finance to adopt certain rules; amending s. 559.11, F.S.; providing an exemption to the prohibition with respect to certain budget planning; amending s. 516.21, F.S.; revising language with respect to restrictions on borrower's indebtedness to provide increased monetary limits; amending and reenacting s. 516.19, F.S.; providing penalties; providing an effective date.

—was read the second time by title.

Senator Grant moved the following amendment which was adopted:

Amendment 1—On page 4, strike all of lines 3-29 and insert:

1. Charges paid for brokerage fee on a loan or line of credit of more than \$10,000, title insurance, and the appraisal of real property offered as security when paid to a third party and supported by an actual expenditure;

2. Intangible personal property tax on the loan note or obligation when secured by a lien on real property;

3. The documentary excise tax and lawful fees, if any, actually and necessarily paid out by the licensee to any public officer for filing, recording, or releasing in any public office any instrument securing the loan, which fees may be collected when the loan is made or at any time thereafter;

4. The premium payable for any insurance in lieu of perfecting any security interest otherwise required by the licensee in connection with the loan, if the premium does not exceed the fees which would otherwise be payable, which premium may be collected when the loan is made or at any time thereafter;

5. Actual and reasonable attorney's fees and court costs as determined by the court in which suit is filed; or

6. Actual and commercially reasonable expenses of repossession, storing, repairing and placing in condition for sale, and selling of any property pledged as security.

The vote was:

Yeas—25

Brown	Grant	McPherson	Stuart
Bruner	Jennings	Meek	Thomas
Casas	Johnson	Myers	Thurman
Deratany	Kirkpatrick	Peterson	Walker
Diaz-Balart	Kiser	Plummer	
Dudley	Malchon	Scott	
Gardner	Margolis	Souto	

Nays—2

Girardeau Woodson-Howard

On motion by Senator Grant, by two-thirds vote CS for SB 248 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—33

Bankhead	Dudley	Malchon	Stuart
Beard	Gardner	Margolis	Thomas
Brown	Girardeau	McPherson	Thurman
Bruner	Gordon	Meek	Walker
Casas	Grant	Myers	Weinstein
Crenshaw	Jennings	Peterson	Woodson-Howard
Davis	Johnson	Plummer	
Deratany	Kirkpatrick	Scott	
Diaz-Balart	Kiser	Souto	

Nays—2

Childers, D. Langley

On motion by Senator Grant, the rules were waived and **CS for SB 248** was ordered immediately certified to the House.

CS for SB 254—A bill to be entitled An act relating to historic preservation; amending s. 267.021, F.S.; redefining the terms "historic property" and "historic resource" to include certain additional properties; amending s. 267.061, F.S.; requiring state agencies within the executive branch to consider, in the acquisition of additional space, the use of historic properties; requiring such agencies to request the Division of Historical Resources of the Department of State to assist in identifying historic properties appropriate for use by the agency; requiring the Department of General Services to adopt rules for renovating historic properties owned by the state; providing an effective date.

—was read the second time by title. On motion by Senator Forman, by two-thirds vote CS for SB 254 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

Bankhead	Dudley	Kiser	Thomas
Beard	Forman	Langley	Thurman
Brown	Gardner	Margolis	Walker
Bruner	Girardeau	McPherson	Weinstein
Casas	Gordon	Meek	Weinstock
Childers, D.	Grant	Peterson	Woodson-Howard
Crenshaw	Jennings	Plummer	
Davis	Johnson	Souto	
Diaz-Balart	Kirkpatrick	Stuart	

Nays—None

Vote after roll call:

Yea—Deratany, Malchon

SB 1174—A bill to be entitled An act relating to adoption; amending s. 63.097, F.S., increasing the allowable fee to intermediaries in adoption proceedings; amending s. 63.102, F.S., providing for the filing of an action for declaratory statement for prior approval of fees and costs; amending s. 63.212, F.S., providing that it is unlawful to advertise with regard to adoptions unless the advertisement includes the license number of the agency, attorney, or physician placing the advertisement; increasing the allowable fee to intermediaries in adoption proceedings; providing an effective date.

—was read the second time by title. On motion by Senator Grant, by two-thirds vote SB 1174 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

Bankhead	Dudley	Kiser	Souto
Beard	Forman	Langley	Stuart
Brown	Gardner	Malchon	Thomas
Bruner	Girardeau	Margolis	Thurman
Casas	Gordon	McPherson	Walker
Crenshaw	Grant	Meek	Weinstein
Davis	Jennings	Myers	Weinstock
Deratany	Johnson	Peterson	Woodson-Howard
Diaz-Balart	Kirkpatrick	Plummer	

Nays—1

Childers, D.

On motion by Senator Grant, the rules were waived and **SB 1174** was ordered immediately certified to the House.

On motions by Senator Brown, by two-thirds vote—

CS for CS for HB 2993—A bill to be entitled An act relating to education; amending s. 229.808, F.S., relating to the annual nonpublic school survey; requiring fingerprinting of owners of nonpublic schools; providing procedures; prohibiting ownership or operation of nonpublic schools by certain persons; authorizing the fingerprinting of school employees; providing exceptions; requiring a notarized statement; providing a penalty; providing an effective date.

—a companion measure, was substituted for CS for SB 1476 and by two-thirds vote read the second time by title. On motion by Senator Brown, by two-thirds vote CS for CS for HB 2993 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Bankhead	Diaz-Balart	Kirkpatrick	Scott
Beard	Dudley	Kiser	Souto
Brown	Forman	Langley	Stuart
Bruner	Gardner	Malchon	Thomas
Casas	Girardeau	Margolis	Thurman
Childers, D.	Gordon	McPherson	Walker
Crenshaw	Grant	Meek	Weinstein
Davis	Jennings	Myers	Weinstock
Deratany	Johnson	Plummer	Woodson-Howard

Nays—None

Motion

On motion by Senator Scott, the rules were waived and time of recess was extended until 12:10 p.m.

On motions by Senator Grant, by two-thirds vote—

HB 613—A bill to be entitled An act relating to medical practice; amending s. 458.319, F.S.; revising language with respect to the renewal of certain licenses to require a licensee to complete a clinical competency examination under certain circumstances; amending s. 458.347, F.S.; revising language with respect to the composition of the Physician Assistant Committee; amending s. 458.311, F.S.; relating to licensure by examination; amending s. 458.331, F.S.; relating to grounds for disciplinary action; providing an effective date.

—a companion measure, was substituted for CS for SB 1830 and by two-thirds vote read the second time by title. On motion by Senator Grant, by two-thirds vote HB 613 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

Bankhead	Diaz-Balart	Kirkpatrick	Souto
Beard	Dudley	Kiser	Stuart
Brown	Forman	Langley	Thomas
Bruner	Gardner	Malchon	Thurman
Casas	Girardeau	Margolis	Walker
Childers, D.	Gordon	McPherson	Weinstein
Crenshaw	Grant	Meek	Weinstock
Davis	Jennings	Myers	Woodson-Howard
Deratany	Johnson	Scott	

Nays—1

Plummer

CS for SB 2626—A bill to be entitled An act relating to safety standards for construction; creating the "Trench Safety Act"; providing for incorporation of current Occupational Safety and Health Administration trench safety standards as state trench safety standards; providing that the Department of Labor and Employment Security may adopt by rule any revised or updated versions of OSHA trench safety standards which are not inconsistent with state law; providing requirements with respect to contract bids for construction projects which contain trenches which exceed a certain depth; imposing certain requirements on contractors; providing an effective date.

—was read the second time by title. On motion by Senator Thurman, by two-thirds vote CS for SB 2626 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

Bankhead	Diaz-Balart	Kiser	Souto
Beard	Dudley	Langley	Stuart
Brown	Forman	Malchon	Thomas
Bruner	Gardner	McPherson	Thurman
Casas	Gordon	Meek	Walker
Childers, D.	Grant	Myers	Weinstein
Crenshaw	Jennings	Peterson	Weinstock
Davis	Johnson	Plummer	Woodson-Howard
Deratany	Kirkpatrick	Scott	

Nays—None

Vote after roll call:

Yea—Girardeau

CS for SB 334—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; prohibiting the department from releasing the address of any licensee, registered owner, or titleholder except under certain specific circumstances; providing for future review of such exemption pursuant to the Open Government Sunset Review Act; providing an effective date.

—was read the second time by title.

Senators Davis and Forman offered the following amendments which were moved by Senator Davis and adopted:

Amendment 1—On page 1, line 13, strike everything after the enacting clause and insert:

Section 1. The address of any licensee under chapter 322, Florida Statutes, or registered owner or titleholder under chapters 319 and 320, Florida Statutes, is confidential and exempt from the provisions of section 119.07(1), Florida Statutes. Such addresses may only be divulged by the Department of Highway Safety and Motor Vehicles to the licensed driver, registrant, or titleholder; to any law enforcement officer or agency; upon receipt of a court order; to any firm which supplies information for the purpose of voluntary or mandatory vehicle recall programs and statistical or direct marketing programs; to any person regularly engaged in the business of recovering, towing, or storing vehicles; or to any state agency or business entity which the department determines has a legitimate need for such address. An entity which receives an address from the department may not sell, give away, or allow the copying of such address except in the interest of the public health, safety, or welfare, unless authorized by the department. This exemption is subject to the Open Government Sunset Review Act in accordance with section 119.14, Florida Statutes. The department may adopt rules to administer this act.

Section 2. This act shall take effect upon becoming a law.

Amendment 2—In title, on page 1, line 1, strike everything before the enacting clause and insert: A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; prohibiting the department from releasing the address of any licensee, registered owner, or titleholder except to certain specified entities; providing exceptions; providing prohibitions; providing that the exemption is subject to the Open Government Sunset Review Act; providing for rules; providing an effective date.

On motion by Senator Davis, by two-thirds vote CS for SB 334 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—34

Bankhead	Dudley	Kiser	Stuart
Beard	Forman	Langley	Thomas
Brown	Gardner	Margolis	Thurman
Bruner	Girardeau	McPherson	Walker
Casas	Gordon	Meek	Weinstein
Childers, D.	Grant	Myers	Weinstock
Crenshaw	Jennings	Peterson	Woodson-Howard
Davis	Johnson	Plummer	
Diaz-Balart	Kirkpatrick	Souto	

Nays—None

Vote after roll call:

Yea—Deratany, Malchon

CS for SB 198—A bill to be entitled An act relating to human waste; amending s. 403.413, F.S.; prohibiting, under the Florida Litter Law, the unpermitted disposal of human waste from planes, trains, motor vehicles, and vessels; providing penalties for violation of the Florida Litter Law; providing an effective date.

—was read the second time by title.

Senator Dudley moved the following amendment which was adopted:

Amendment 1—On page 4, strike line 11 and insert:

Section 2. This act shall take effect October 1, 1993.

On motion by Senator Souto, by two-thirds vote CS for SB 198 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37

Bankhead	Dudley	Langley	Stuart
Beard	Forman	Malchon	Thomas
Brown	Gardner	Margolis	Thurman
Bruner	Girardeau	McPherson	Walker
Casas	Gordon	Meek	Weinstein
Childers, D.	Grant	Myers	Weinstock
Crenshaw	Jennings	Peterson	Woodson-Howard
Davis	Johnson	Plummer	
Deratany	Kirkpatrick	Scott	
Diaz-Balart	Kiser	Souto	

Nays—None

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Margolis, by two-thirds vote SB 714 was withdrawn from the Committee on Appropriations.

On motions by Senator Deratany, by two-thirds vote SJR 246, CS for SB 1366, CS for SB 1622, CS for SB 1806, CS for SB 1882, CS for SB 2236, SB 2468, CS for SB 2488, CS for SB 2684 and SB 2986 were withdrawn from the Committee on Finance, Taxation and Claims.

On motions by Senator Woodson-Howard, by two-thirds vote Senate Bills 1722, 296 and 716 were removed from the committees of reference and further consideration.

On motion by Senator Stuart, by two-thirds vote SB 2832 was removed from the committees of reference and further consideration.

On motions by Senator Scott, by two-thirds vote SB 756 was withdrawn from the Committees on Finance, Taxation and Claims; and Appropriations; and referred to the Committees on Higher Education; and Finance, Taxation and Claims.

On motions by Senator Scott, CS for SB's 1306 and 1270 was withdrawn from the Committees on Finance, Taxation and Claims; and Appropriations; and referred to the Committees on Higher Education; Finance, Taxation and Claims; and Appropriations.

On motion by Senator Scott, by two-thirds vote SB 2044 was withdrawn from the Committee on Judiciary-Civil.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of May 15 was corrected and approved.

CO-INTRODUCERS

Senator Forman—SB 334; Senator Souto—CS for SB 916, CS for SB 2274, CS for SB 2484, SB 2860; Senator Thomas—SB 2608; Senators Casas and Davis—SB 2706

RECESS

Senator Scott moved that the Senate stand in recess for the purpose of holding committee meetings and conducting other Senate business until Wednesday, May 23, at 10:00 a.m. The motion was adopted.

Pursuant to the motion by Senator Scott, the Senate recessed at 12:14 p.m. to reconvene at 10:00 a.m., Wednesday, May 23.